

SENATE.

SUNDAY, March 4, 1923.

(Legislative day of Saturday, March 3, 1923.)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

SPEECHES DISTRIBUTED BY FEDERAL RESERVE BOARD.

The VICE PRESIDENT laid before the Senate a communication from the acting governor of the Federal Reserve Board relative to Senate Resolution 351 (submitted by Mr. HEFLIN and agreed to December 12, 1922), requesting the Federal Reserve Board to furnish the Senate a list of the names and addresses to which a certain speech was mailed, which was ordered to lie on the table and to be printed in the RECORD, as follows:

FEDERAL RESERVE BOARD,
OFFICE OF VICE GOVERNOR,
Washington, March 3, 1923.

SIR: Senate Resolution 351 requests the Federal Reserve Board to obtain and send to the Senate certain lists of names and addresses, being the names and addresses of persons who received copies of a speech delivered by the junior Senator from Virginia more than a year ago. It is certainly a somewhat unusual request to make of any Government body, as it must be obvious that there was no object in preserving the lists used so long ago, and consequently in some cases they do not exist, and in all cases are greatly changed and are not the same lists to which Senator GLASS's speech was sent. If the Senate had desired the Federal Reserve Board to have these lists preserved, it would seem that the request would have been made not later than the spring of 1922, as the speech of Senator GLASS was delivered on the 16th and 17th of January.

It appears from the preamble, which was made a part of Senate Resolution 351 by being passed with it, that its purpose was to enable one Senator, whose position is stated to have been "assailed and criticized" by another Senator, to have the opportunity "of sending copies of his speech to the citizens who have received the speech which assailed and criticized him," and the inference appears to be that at least one of the objects in the circulation of Senator GLASS's speech was the criticism of another Senator. Reference to the other Senator whose position is stated to have been assailed and criticized in Senator GLASS's speech was purely incidental, and it is doubtful if the officers of the Federal Reserve Board even so much as remembered that he had been mentioned in the speech of the Senator from Virginia, whose speech was delivered in January, 1922. The speech of the Senator from Virginia was recognized by all authorities as the most complete and masterly explanation and exposition of the Federal Reserve system and of its operation ever delivered. Senator GLASS was the chairman of the Committee on Banking and Currency of the House of Representatives when the Federal Reserve act was first in preparation, when it was passed in Congress, and when it came into operation by the organization of the 12 Federal Reserve Banks. He was also the author of most of the amendments which were passed during the first years of its operation and later as Secretary of the Treasury became ex officio the chairman of the Federal Reserve Board. He was, therefore, familiar with every detail of the law and with its operation and was the one man not only in the Senate of the United States but in the United States itself in a position to make such an address with authority.

The address was circulated to convey to the member banks of the Federal Reserve system and to their clients invaluable information not otherwise obtainable and with no purpose or thought of criticizing any other Senator.

If, nevertheless, the Senator who feels that his position was "assailed and criticized" desires after the lapse of more than a year to send out answers to Senator GLASS's great speech some information can be given from the answers of the Federal Reserve Banks to the resolution which will enable him to cover most of the persons who received Senator GLASS's address. There was great difference in the methods of distribution of Senator GLASS's address. Thus the Federal Reserve Bank of Minneapolis states that it was sent in that district only to member banks on written request, and the Federal Reserve Bank of Dallas replies that the address was sent to banks, chambers of commerce, and to some extent to such institutions as rotary clubs. In all districts many copies were distributed in this way, no exact list of the persons who received the address having been kept, as the final distribution to "citizens" (the term used in the resolution) was made by the many commercial banks, institutions, and organizations. By using the Bankers' Directory, therefore, and by sending copies to chambers of commerce, the other Senator may cover most of the territory.

Senator GLASS's speech was in much demand by educational institutions, and several hundred copies were sent to some of them on request. Reprints of it were in fact made by some educational and other institutions that were unable to obtain a sufficient number of copies of the full address to satisfy their requirements. Some of these reprints contain no reference whatever to the Senator "who spoke on the other side of the question."

Most Federal Reserve Banks maintain mailing lists built up in connection with the distribution of their monthly reports and with their business reporting service, and these lists in some banks were used in the distribution of Senator GLASS's speech, but the banks generally regard these lists as their personal property, and several of them have protested strongly against making them public. The board's counsel doubts authority to compel their submission without specific act of Congress. In any event, they have greatly changed in a year and are not the same lists that were used in the early part of 1922. Furthermore, they did not, as used in 1922, include the names and addresses of anywhere near all the citizens who received the speech of Senator GLASS.

Respectfully submitted,

EDMUND PLATT, Acting Governor.

The PRESIDENT OF THE SENATE.

PETITIONS AND MEMORIALS.

Mr. MYERS presented the following joint resolution of the Legislature of Montana, which was referred to the Committee on Interstate Commerce:

UNITED STATES OF AMERICA,
State of Montana ss:

I, C. T. Stewart, secretary of state of Montana, do hereby certify that the following is a true and correct copy of an act entitled "Senate Joint Resolution No. 2, by committee on railroads as substitute for Senate Joint Memorial No. 2, enacted by the eighteenth session of the Legislative Assembly of the State of Montana, and approved by Jos. M. Dixon, governor of said State, on the 28th day of February, 1923. In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the City of Helena, the capital of said State, this 28th day of February A. D. 1923.

Secretary of State.

Senate Joint Resolution No. 2, by committee on railroads, as substitute for Senate Joint Memorial No. 2.

Whereas the farmers of Montana and the Northwest suffered serious loss of crops by reason of the widespread drought that prevailed during the years of high prices and business inflation, and as a result were not prepared to withstand the deflation which followed by calling on a reserve of accumulated profits such as was available to other lines of industry; and

Whereas by reason of long distances to market making freight charges high, and the low prices for what the farmer sells, and the high prices for what he buys, the farmers of Montana and the Northwest, having for the first time in five years obtained a substantial yield, are unable to secure the cost of production for their crops; and

Whereas the railroads serving Montana, by reason of a shortage of cars, have been unable to receive and transport to market the products of the farm and ranches, thus causing great inconveniences and loss, not only to the farmers and stock growers, but to the business and banking interests of the State, as well; and

Whereas the responsibility for this deplorable condition is in dispute, having been repudiated by the western roads laying the blame on their eastern connections, who in turn deny the responsibility: Therefore be it

Resolved by the Eighteenth Legislative Assembly of the State of Montana (the senate and house concurring), That we do hereby petition and earnestly pray the Interstate Commerce Commission of the United States to take such action regarding regulating the interchange of cars, or such other action as may be necessary to prevent a recurrence of these conditions.

And we further petition and pray that for the reasons heretofore set out, to wit, the inability of the farmers in the Northwest to secure the cost of production for their wheat and other products, the honorable, the Congress of the United States enact such legislation as may be necessary to stabilize the price of farm products by fixing a minimum price for wheat, thus placing the business of farming on an equal footing with other and lesser industries of the country; be it further

Resolved, That a copy of this memorial be forwarded by the secretary of state of Montana to the Senators and Representatives in Congress of the State of Montana, with the request that they use every effort within their power to bring relief to the farmers of the Northwest by carrying into effect the suggestions heretofore set out, and that they deliver to the secretary of the Interstate Commerce Commission a copy of this resolution.

NELSON STORY, Jr.,
President of the Senate.
CALVIN CRUMBAKER,
Speaker of the House.

Approved February 27, 1923.

JOS. M. DIXON, Governor.

Filed February 28, 1923, at 9:22 o'clock a. m.

C. T. STEWART, Secretary of State.

Mr. STERLING presented the following concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Interstate Commerce:

A concurrent resolution.

Whereas the average farmer buys over a ton of steel annually in the form of farm implements, wire, and hundreds of other steel products; and Whereas there is a trade practice used by the steel mills by means of which they collect millions of dollars annually for freight service which is not earned, known as "Pittsburgh plus"; Therefore be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That we strongly condemn this practice and urge that the Federal Trade Commission take such steps as will be necessary to abolish the Pittsburgh plus practice; be it further

Resolved, That our United States Senators and Members of the National House of Representatives be urged to promote such legislation as will curb this evil; and

That engrossed copies of this preamble and resolution be prepared by the secretary of the senate, signed by the presiding officers of the senate and house of representatives, and forwarded to the Federal Trade Commission, at Washington, D. C., to Congressmen WILLIAM WILLIAMSON, C. A. CHRISTOPHERSON, and ROYAL C. JOHNSON, and United States Senators STERLING and NORRICK.

C. S. AMSDEN,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
E. O. FRESCOLN,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk of the House.

Mr. NORRIS presented the following resolution of the Senate of the State of Nebraska, which was referred to the Committee on the Judiciary:

STATE OF NEBRASKA,
SENATE CHAMBER,
Lincoln, March 1, 1923.

HON. GEORGE W. NORRIS,
Washington, D. C.

DEAR SIR: I have the honor to submit to you the following resolution which was passed by the State Senate of Nebraska:

Resolution.

"Whereas the administration of the selective service act during the World War disclosed an appalling state of affairs with respect to the physical condition of the young manhood of our country; and

"Whereas the highest military and surgical officials of the United States of America, whose duty it was to administer the draft, concluded that more than 50 per cent of the young men of draft age were not physically fit, and in conference assembled have urged that remedial legislation be enacted to better these conditions; and

"Whereas the State institutions of the State of Nebraska are filled and overflowing with unfortunates who are becoming an ever-increasing burden on the taxpayers of this State; and

"Whereas statistics and diagnoses prove conclusively that the condition of Nebraska's unfortunates is in many cases the direct result of hereditary and social diseases; and

"Whereas the stability of the American home, the bulwark of the American Nation, is greatly endangered by the laxness and the great disparity of the marriage and divorce laws of the various States: Now, therefore, be it

Resolved by the Senate of the State of Nebraska:

"SECTION 1. That we hereby petition and memorialize the National Congress to enact into law a uniform marriage and divorce law for the purpose of combating the evils hereinbefore set forth.

"SEC. 2. That a copy of this resolution be transmitted by the secretary of the senate to each of the Nebraska Senators and Representatives in the National Congress, together with an urgent request that they support such legislation as will result in the passage of a national uniform marriage and divorce law, and that they use their best efforts to secure favorable action thereon at the earliest possible moment."

Respectfully yours,

CLYDE H. BARNARD,
Secretary of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED.

Mr. SUTHERLAND, from the Committee on Enrolled Bills, reported that they presented to the President of the United States for his approval the following enrolled bills and joint resolution:

On March 3, 1923:

S. 2051. An act to amend section 3142 of the Revised Statutes to permit an increase in the number of collection districts for the collection of internal revenue and in the number of collectors of internal revenue from 64 to 65;

S. 4160. An act to amend the act of Congress entitled "An act to establish a commission for the purpose of securing information in connection with questions relative to interstate commerce in coal, and for other purposes," approved September 22, 1922;

S. 4117. An act authorizing the closing of certain portions of Grant Road in the District of Columbia, and for other purposes;

S. 4216. An act authorizing the sale of real property no longer required for military purposes;

S. 4503. An act granting the consent of Congress to Bethlehem Steel Co. to construct a bridge across Humphreys Creek at or near the city of Sparrows Point, Md.;

S. 4592. An act granting consent of Congress to the Eagle Pass & Piedras Negras Bridge Co. for construction of a bridge across the Rio Grande between Eagle Pass, Tex., and Piedras Negras, Mexico;

S. 4638. An act authorizing the Great Northern Railway Co. to maintain and operate, or reconstruct, maintain, and operate, its bridge across the Columbia River at Marcus, in the State of Washington; and

S. J. Res. 282. Joint resolution to amend the resolution of December 29, 1920, entitled "Joint resolution to create a joint committee on the reorganization of the administrative branch of the Government."

On March 4, 1923:

S. 425. An act authorizing the Attorney General of the United States to fix the salaries of United States attorneys and United States marshals of the several judicial districts of the United States within certain limits;

S. 3424. An act to provide for the reclamation of the United States Military Reservation, Fort De Russy, Honolulu, Hawaii;

S. 3580. An act to extend the time for the construction of a bridge across the Red River of the North at or near the city of Pembina, N. Dak.;

S. 4245. An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws;

S. 4280. An act to provide additional credit facilities for the agricultural and live-stock industries of the United States; to amend the Federal farm loan act; to amend the Federal reserve act; and for other purposes;

S. 4322. An act for the relief of the owners of the barge *Havana*;

S. 4544. An act to authorize the extension of the period of restriction against alienation on surplus lands allotted to minor members of the Kansas or Kaw Tribe of Indians in Oklahoma;

S. 4594. An act to authorize the Secretary of State to acquire in Paris a site, with an erected building thereon, at a cost not to exceed \$300,000, for the use of the diplomatic and consular establishments of the United States;

S. 4614. An act to amend section 81 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

S. 4631. An act granting the consent of Congress to the counties of Bowie and Cass, State of Texas, for construction of a bridge across Sulphur River, at or near Paces Ferry, in said counties and State; and

S. 4637. An act for the relief of certain disbursing agents under the Department of Commerce.

AMENDMENT OF REVENUE ACT OF 1921.

The VICE PRESIDENT. The Senate resumes the consideration of the unfinished business, which is House bill 13770.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13770) to amend the revenue act of 1921 in respect to capital gains and losses, and for other purposes.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed the following bills and joint resolution of the Senate:

S. 3424. An act to provide for the reclamation of the United States military reservation, Fort De Russy, Honolulu, Hawaii;

S. 4322. An act for the relief of the owners of the barge *Havana*;

S. 4614. An act to amend section 81 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

S. 4544. An act to authorize the extension of the period of restriction against alienation on surplus lands allotted to minor members of the Kansas or Kaw Tribe of Indians in Oklahoma; and

S. J. Res. 168. Joint resolution in relation to a monument to commemorate the services and sacrifices of the women of the United States of America, its insular possessions, and the District of Columbia in the World War.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6577) authorizing the conveyance of certain lands in the State of South Dakota to the Robert E. Kelley Post, No. 70, American Legion, South Dakota.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 11528) to allow credits in the accounts of certain disbursing officers of the Army of the United States.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 14226) to preserve the status of persons awarded compensation under the act approved September 17, 1916.

The message further announced that the House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14222) to amend the trading with the enemy act.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 35) authorizing the printing of all correspondence between the Department of Justice and others in 1922 relative to disorders in the United States in said year and the action of the Government in suppressing the same.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6650) providing additional terminal facilities in square east of 710 and square 712 in the District of Columbia for freight traffic, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOCHT, Mr. ZIHLMAN, and Mr. SULLIVAN were appointed managers on the part of the House at the conference.

The message also announced that the House had insisted upon its amendments to the joint resolution (S. J. Res. 287) creating the joint commission of gold and silver inquiry, disagreed to by the Senate, had agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RHODES, Mr. COLTON, and Mr. WINGO were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a joint resolution (H. J. Res. 466) to provide an additional appropriation for the Federal Farm Loan Board for the fiscal year 1924, in which it requested the concurrence of the Senate.

AMENDMENT OF TRADING WITH THE ENEMY ACT—CONFERENCE REPORT.

Mr. CUMMINS. Mr. President, I desire to present the conference report on House bill 14222, to amend the trading with the enemy act.

The VICE PRESIDENT. The conference report will be read. The Assistant Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14222) to amend the trading with the enemy act having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered (2) and (13);

That the House recede from its disagreement to the amendments of the Senate numbered (1), (4), (6), and (11), and agree to the same.

Amendment numbered (3): That the House recede from its disagreement to the amendment of the Senate numbered (3), and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert: "Provided, That no insurance partnership, association, or corporation, against which any claim or claims may be filed by any citizen of the United States with the Alien Property Custodian within 60 days after the time this paragraph takes effect, whether such claim appears to be barred by the statute of limitations or not, shall be entitled to avail itself of the provisions of this paragraph until such claim or claims are satisfied"; and the Senate agree to the same.

Amendment numbered (5): That the House recede from its disagreement to the amendment of the Senate numbered (5), and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert: "Provided, however, That this subsection shall not affect any rights which any citizen or subject may have under paragraph (1) of this subsection"; and the Senate agree to the same.

Amendments numbered (7), (8), (9), and (10): That the House recede from its disagreement to the amendments of the Senate numbered (7), (8), (9), and (10), and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendments insert "3"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: Omit the matter proposed to be stricken out by said amendment and insert:

"Sec. 23. The Alien Property Custodian is directed to pay to the person entitled thereto, from and after the time this section takes effect, the net income, dividend, interest, annuity, or other earnings, accruing and collected thereafter, on any property or money held in trust for such person by the Alien Property Custodian or by the Treasurer of the United States for the account of the Alien Property Custodian, under such rules and regulations as the President may prescribe, but no person shall be paid, under this section, any amount in excess of \$10,000 per annum.

And the Senate agree to the same.

ALBERT B. CUMMINS,

THOS. STERLING,

HENRY F. ASHURST,

Managers on the part of the Senate.

WALTER H. NEWTON,

W. J. GRAHAM,

CLARENCE F. LEA,

Managers on the part of the House.

Mr. McKELLAR. Mr. President, what was done with reference to the attorney fees provision?

Mr. CUMMINS. It was reduced from 10 per cent to 3 per cent.

Mr. McKELLAR. I do not see the Senator from Ohio [Mr. WILLIS] here. He was very much interested in that provision. I really do not believe Congress ought to be legislating about attorney fees. I think it is very unwise to do so. It may involve us in all kinds of scandal before this matter is concluded.

Mr. HITCHCOCK. But this is only a limit. It does not provide for attorney fees.

Mr. CUMMINS. It is a limit of 3 per cent.

Mr. McKELLAR. I see that the Senator from Ohio [Mr. WILLIS] has just entered the Chamber, and I turn the matter over to him. However, I am opposed to it.

Mr. WILLIS. May I inquire what was done with the amendment striking out section 23?

Mr. CUMMINS. Section 23 is in the bill, but it is limited to the payment of \$10,000 on account of incomes received after the bill becomes a law. It has no retroactive aspect.

Mr. WILLIS. Will the Senator state what the conferees did with reference to the report as to attorney fees?

Mr. CUMMINS. It is limited to a 3 per cent maximum. It was 10 per cent, as provided by the House, but the conferees reduced it to 3 per cent.

Mr. KING. I would like to ask the Senator from Iowa what was done with the amendment offered by the Senator from Wisconsin [Mr. LENROOT]?

Mr. CUMMINS. It was agreed to.

Mr. WILLIS. Mr. President, I am not disposed to detain the Senate. Of course I think the amendment relating to attorney fees which the Senate adopted was better than the one the conferees agreed upon, but the conferees have done tolerably well. Three per cent is very much better than 10 per cent. I shall not oppose it further.

Mr. CUMMINS. I move the adoption of the conference report.

The report was agreed to.

ADDRESS BY SENATOR FRELINGHUYSEN.

Mr. FRELINGHUYSEN. Mr. President, I do not wish to delay the work of the Senate for any extended period, but I felt that I could not leave the Senate without saying a few words at parting with my friends in this body. I shall take but a very brief time in doing so.

Mr. President, in a short time the Sixty-seventh Congress will adjourn and many of us will retire from the Senate. I am one of those whose service will end. I can not complete my term without giving some expression to the feelings of friendship I have for those with whom I have served during the eventful six years which have passed.

It was the ambition of my life to represent my State in the United States Senate. I felt that it was the highest honor that could be granted to anyone. My ambition to represent New Jersey has been fulfilled and I have been privileged to sit in the Senate during the most eventful period in the country's history. It was also my ambition to represent my State as acceptably and capably as the three Senators of my name and family who have preceded me in this body, and I hope I have measured up in some slight degree to the high standards they set.

I make no boast of any particular political virtue, but I have always felt it a duty to stand for clean politics, for constructive measures, for helpful service, and right rather than political expediency.

Although the verdict of the majority of the voters of my State has ended my commission to serve New Jersey, I feel that I can retire with the consciousness that I have done my best and have tried to serve with sincerity of purpose and have lived up to the standards in which I believe. As I go forth again as a private citizen I know that I have the respect of my constituency, even if they did not all vote for me.

I regret leaving the splendid fellowship of my friends here. These friendships which I have formed will endure as long as I live.

New Jersey was one of the original thirteen States which formed the Union. Upon her soil were fought the great battles which gave us independence and made possible the formation of the Republic. Jersey men are justly proud of this tradition, and it has been my earnest endeavor to uphold that historical position.

Our independence as a Nation was due to this Revolution. The independence of some Jersey men in the recent election was due to another revolution more recent than the first. Nobody has had more experience with that revolution than I have had.

I come from a section of the country which is one of industrial greatness and financial strength. This territorial advantage was not due to any choice of mine but to my Holland ancestors, who settled in New Jersey 200 years ago and helped make the State what it was and is. Each succeeding generation has remained there, due probably to the nonnomadic habits of the Dutch. I have tried, however, to serve without sectional prejudice or partisan rancor. With the Senators from the South I have endeavored to meet the many problems of that section of the country and help them in the discouragements and financial setbacks they have had to face and the legislative measures they proposed for relief. While not a member of the farm bloc, I have supported its efforts to relieve the burdens of the farmers of the West; and while I have not been able to meet some views I have thought too extreme I have seen in that movement not government by a class, as many charge, but an honest fight for justice to those who till the soil.

I was brought up to believe in the Constitution of the United States, strict obedience to law, the Dutch Reformed Church, and the Republican Party. I must confess that these institu-

tions of conservatism may have had some effect upon me and my service here. Modern statesmanship seems to have parted somewhat from these conservative principles, and we now face the extremist in and out of our legislative halls who proposes patent medicines to cure all the ills of this stormy period. Some seem to believe that legislation can be made the panacea for all the ills of the body politic, but I adhere to the Constitution, to its principles, and shall continue to cling to that old faith. For 140 years we have been guided as a Nation by the faith of the fathers and their plan of government. I refuse to be parted from the old moorings, and while it may be called a narrow-minded vision by some to preserve this attitude of faith in constitutional government, I prefer it.

My business training and instinct leads me to express the hope that in the next Congress will come the much-needed reform in the rules, so that the country's business can be transacted more promptly and by the majority.

I have again and again during my experience here seen this Senate, by reason of its rules, become pitiful through its impotence to control its own body.

If the Senate is to retain the esteem of the country which it has hitherto at times enjoyed, those that remain here to serve must recognize the great weight of public opinion demanding this change of policy.

I say this without any feeling of unfriendliness to those who disagree with me, as I believe that, although we have our different views and although the currents of politics sway us to and fro, underneath the skin of everyone who serves here is a better nature, a sterling patriotism, and love of country.

May I express, in closing, my deep appreciation to the Vice President who presides over this body for his many courtesies extended to me; may I thank also my friends, the secretaries and clerks of the Senate, for their helpful assistance, as well as my boy friends, the pages, for their courteous attention.

To my colleagues I have this to say in conclusion: As you face the future and the important questions you will be called upon to settle in this legislative body, may you have the broadest vision and wisdom and may you continue those policies of government which have made for the greatness of our people and the welfare of our beloved country.

ADDRESS BY SENATOR SUTHERLAND.

Mr. SUTHERLAND. Mr. President, I shall not undertake in the limited time at my disposal to express at length the thoughts that come to my mind at the conclusion of 10 years of congressional service, of which 4 years were spent in the House of Representatives and 6 years in the Senate. I have regarded my successive elections by the people of West Virginia to these positions as affording me a wonderful opportunity for service, and I have endeavored during all these years to give the very best service of which I was capable. I am grateful to the good people of my State for having thus favored me. I have accepted the result of the election in West Virginia, terminating to-day my term of service here, I trust, in a true philosophical spirit, and I may say, without reservation, that I have done so without regrets or without recriminations of any kind. I shall return to my State in the immediate future to take up my labors for my family, feeling confident that I can put in the remaining years of my life in hard consecutive work to good advantage. My only regret is the sundering of the pleasant associations which have been formed as a Member of the two greatest legislative bodies in the world. My relations with those in both Houses have without exception been agreeable and pleasant and I have the profoundest respect and admiration for the membership of these bodies.

I am not one of those who believe that this great country is going to destruction through any lack of consecrated effort on the part of its legislators. While the functioning of the Senate may not always be letter perfect, yet my experience here convinces me that there is nowhere in the world a more industrious or patriotic body of men than are to be found here. It would be strange indeed if there were not radical differences of opinion among the men of strong minds and personalities who compose the membership of this body, representing, as they do, sovereign States whose interests are not always identical, and yet whose well-being and prosperity mean the well-being and prosperity of the whole. Most of the results of legislation are brought about by the intelligent compromise of these differences, and usually these compromises are effectuated in a spirit of earnest cooperation, and certainly with a conscientious regard on the part of each toward his obligations to State and Nation. I am profoundly impressed with the desire on the part of each to contribute in his own way toward

the solution of the mighty problems which come before this body for final determination. When legislators devote themselves in this way to their task the country is certainly safe.

In conclusion, Mr. President, I desire to express to each and every Member of this body my appreciation of the uniform courtesy which has been accorded to me, and to extend to you, the Presiding Officer, and to the membership and all attachés my cordial good wishes for the future.

Mr. President, some weeks ago I offered a number of prizes to the high-school boys and girls of West Virginia for the best essays upon the subject "West Virginia, a Good Place in Which to Live." A highly competent committee of able and distinguished men was appointed to consider the merits of these essays, and after careful deliberation they selected the one they regarded as having the most merit. It was written by a young lady in a small town in Kanawha County, W. Va., and because of the fact that so many untrue statements have been made regarding the great State which I have had the honor to represent in part in this body, I am led to place in the CONGRESSIONAL RECORD this splendid essay, which sets forth briefly and in terse language many important truths about West Virginia. I ask unanimous consent that the essay referred to may be printed as a part of my remarks in 8-point type.

There being no objection, the essay was ordered to be printed in the RECORD in 8-point type, as follows:

[The essay awarded first prize in the Sutherland essay contest, open to high-school students of West Virginia, written by Miss Maxine M. Williams, Plus, Kanawha County, W. Va.]

WEST VIRGINIA, A GOOD PLACE IN WHICH TO LIVE.

West Virginia is a good place in which to live. It has natural beauty, progressive schools, splendid citizens, efficient government, and growing cities. It has rich soil, a genial climate, fine building materials, good transportation facilities, thriving industries, and great mineral wealth. Great commercial success awaits the State and the people who develop its resources.

Nature has given to West Virginia wonderful scenery. From the Alleghenies on the east, 4,860 feet above sea level, to the undulating Ohio plains on the west, 500 to 600 feet above sea level, there is an ever-changing panorama of beauty—hills in the green of summer or the crimson, orange, russet, and gold of autumn, veiled by blue haze and silver mist—colorful clumps of wild honeysuckle, dainty arbutus, stately laurel, and rhododendron—rugged canyons, curving rivers, and sparkling springs, many of which are mineral. White Sulphur, having probably the finest hotel in the South, is the most famous of the mineral or healing springs.

West Virginia has good schools, from primary to university. The State, parents, teachers, and children are cooperating to make the educational system better each year. Last year \$11,402,000, almost four times the expenditure of 1910, was spent upon the common schools. In the past 10 years the State has trebled its number of high schools. Six excellent normal schools are training teachers for the important task of instructing pupils in the subjects that prepare for "complete living." Approximately 200 men and women teach the 2,700 students of the university. Through extension work the university constantly strives to help more citizens.

At Institute, Bluefield, and Harpers Ferry are schools for the higher education of the Negro race. At Romney, blind and deaf youth are educated in studies and trades that enable them to become self-supporting. Instead of permitting wayward boys and girls to go unhindered to destruction, separate industrial schools guide many of them into useful citizenship.

The people of West Virginia are brave, industrious, law-abiding, and intelligent. The battle fields of every war from the Revolution to the World conflict have proved their courage. In 1920 over \$281,000,000 was on deposit in the banks of the State. Since the population at that time was 1,462,701, the per capita bank account was a little more than \$191. No more acts of lawlessness occur in West Virginia than in other similar areas of United States territory. Melville Davisson Post, short-story writer; Henry Sydnor Harrison, novelist; Herbert Quick, novelist; Waitman Barbe, poet; Joseph Rath, mathematician; and I. C. White, geologist, demonstrate the thinking ability of some West Virginians. Most of the people of the State are native born. There are many negroes, but the majority of the population is white. There are no conflicts. The two races live in perfect harmony and understanding.

The citizens of West Virginia believe in good government, and they have it. The legislators are intelligent, capable, liberal, and progressive. The statute books are full of laws for the good of man, and they are being enforced. State provision is made for the care of the public health, as well as the general welfare of the people. West Virginia is among the

States having the lowest percentage of tuberculosis. Longevity goes to the peak in the Mountain State.

West Virginia people are not crushed by excessive taxes. In 1918 the rate of taxation was \$0.07 on each \$100 of assessed valuation; the total valuation was \$1,366,139,828. The State owes little—\$15,000,000 of recently issued road bonds and \$11,000,000 for the Virginia debt, making the total debt about \$26,000,000.

West Virginia's cities are growing rapidly. Broad, well-paved streets, splendid business houses, handsome churches, beautiful homes, fine schools, and thriving industries make the cities of the State pleasant and profitable for home, business, and pleasure.

No State has more beautiful churches than West Virginia. A magnificent ministry instructs the people from the Divine Book. Eighty-six per cent of the church membership is Protestant. The leading denominations are Methodist, Episcopal, Baptist, Catholic, and United Brethren.

Rich soil and a genial climate give to West Virginia great agricultural possibilities. In 1919 the value of farm crops was \$96,537,000. Last year the State produced 4,250,000 bushels of wheat, 5,400,000 bushels of oats, and 22,100,000 bushels of corn. Delicious apples and luscious peaches are making West Virginia famous. One county, Berkeley, in good seasons, produces 500,000 barrels of apples, more than either Oregon or Washington. There are 20,000,000 fruit trees in the State. Small fruits—strawberries, raspberries, and blackberries—many kinds of vegetables, and various nuts flourish in West Virginia. Truck farmers have brilliant opportunities in the State. No long rainy seasons, withering droughts, or extremes of heat or cold plague West Virginia. Forty-five inches of rainfall, well distributed over the year, furnish abundant moisture for growing crops and rivers to float them to market.

Four of West Virginia's rivers are locked and dammed for navigation. The rivers of the State can produce enough electricity to furnish power and lights to all the homes and factories in West Virginia if it ever becomes necessary. The rivers are estimated to have a maximum potential energy of 1,162,000 horsepower, more than any other State.

West Virginia has not only good water transportation, but also hard roads, steam railways, and electric lines. At present there are 1,178 miles of class A highways in the State and \$50,000,000 in the hands of the State road commission to bring the class A mileage to 3,500. Hundreds of miles more of hard roads will be maintained by individual counties. The Midland Trail, a national highway, traverses West Virginia from east to west. Twelve railroads and branch lines, collectively measuring 3,199 miles, serve most parts of the State. Several hundred miles of electric lines connect the leading cities with each other and the surrounding rural sections.

One great benefit of hard-surfaced roads is the consolidation of schools. The isolated, uncomfortable insanitary, and too often unsightly one-room schoolhouses are eliminated and the children transported, perhaps in motor busses, to attractive, modern buildings, where they generally receive better instruction than the one-room school affords, because of better grading and more time for individual help.

West Virginia is well supplied with building materials. An abundance of building stone and limestone for manufacturing cement are found in the State. Quantities of fine timber exist also. Six hundred and ninety-seven million six hundred thousand feet of lumber was cut in 1920. West Virginia stands second among the States in production of hardwood, yielding more yellow poplar and chestnut than any other State. There are 800,000 acres of virgin forest—enormous oak, chestnut, poplar, beech, hickory, ash, and maple trees—3,500,000 acres of valuable second-growth timber, and 5,000,000 acres of farm woodland.

Much food for the taking is found in the streams and forests. The rivers abound with fish and the hills with wild game—deer, bears, coons, and wild turkeys in the dense timber; rabbits, opossums, and pheasants in most sections. Truly West Virginia is a sportsman's paradise. A few eagles, many hawks and owls, and large numbers of song birds nest in the State.

Many domestic animals and fowls are raised in West Virginia. Thousands of magnificent cattle are found in the hills and blue-grass valleys of the State. Numerous farmers and companies are engaged in the breeding of thoroughbred, high-type cattle and sheep and swine. The superior, fat, grass-fed cattle of West Virginia are famous. No other State in the Union has such a reputation for fat lambs and sheep. For three consecutive years New York Stock Market reports stated that West Virginia sent the best carloads of lambs that entered Jersey City market. All of the State is splendidly adapted to

the production of the mutton breed of sheep; large areas, especially in the northwest, are unsurpassed for the production of the finest merino wool. At the Paris Exposition wool grown in Brooke County was awarded first prize; 587,000 cattle, 510,000 sheep, and 305,000 swine are fed in the State. Multitudes of chickens, ducks, turkeys, and geese are annually raised.

West Virginia's greatest source of wealth is minerals. The State has great stores of coal, oil, and gas. Only Pennsylvania produces more coal. Last year 90,400,000 tons of coal, worth \$400,000,000 at the mines, came from West Virginia. The State contains the greatest acreage of high-carbon coal of any district in the world. Eighty-nine seams of coal are found in West Virginia; 49 counties produce it. In 1921, 116,726 men mined coal in 1,570 openings owned by 993 companies. West Virginia coal is used on warships, on merchant vessels, and in countless homes and factories. Only 1,000,000,000 tons have been mined up to this time. There is a reserve of 160,000,000,000 tons. At the present rate of mining that reserve will not be exhausted in 1,800 years.

The by-products of coal are many and of great value—perfumes, dyes, bases for powerful explosives, and so forth. Numbers of people will become rich through their manufacture.

West Virginia has for years stood first in natural-gas production. The State produces two-fifths of all the gas that is yielded in the Nation and contains 30 per cent of the gas area. Each day 500,000,000 cubic feet of gas are piped to Pittsburgh, Cincinnati, Cleveland, Indianapolis, and other points. Another 500,000,000 cubic feet are daily used in the State's own homes, factories, and cities.

Thirty-one of West Virginia's counties produce oil of high quality. Last year the wells yielded 8,173,000 barrels, and there is a 200,000,000 barrel reserve. All mineral products of the State for 1920 were valued at \$632,800,000. Surely West Virginia is a good factory location.

Cheap fuel and abundant raw materials have brought many factories to the State. In 1919 West Virginia factories produced \$471,000,000 worth of goods. There were 20 iron and steel factories, with 11,630 employees and products worth \$85,036,000; 77 glass plants, with 11,668 employees and \$42,730,000 worth of products; 643 lumber and timber product plants, with 12,427 employees and products worth \$34,420,000; and others with smaller productions. At that time the State had 869 factories, with an annual production valued at \$5,000 to \$20,000; 649 with a \$20,000 to \$100,000 annual output; 340 with a \$100,000 to \$500,000 output; 78 with a \$500,000 to \$1,000,000 output; and 94 with a yearly output of more than \$1,000,000. Three potteries each produced more than \$1,000,000 worth of ware. Six plants each manufactured more than \$1,000,000 worth of lumber and timber products. Twelve glass factories each passed the \$1,000,000 mark. The Mountain State stands first in glass manufacture and sixth in steel and rolling mill manufactures. Clays, shales, and silica beds exist in immense quantities and make possible the production on a large scale of brick and glass of every quality.

Many, if not most, of the factories are attractive, sanitary buildings, equipped with the best machinery. Injured workers or their families are compensated. Often the employers build inviting homes and rent or sell them reasonably to employees.

There are more of the elements, resources, and conditions which make for profitable occupation of brains, men and women, and money, and more of the conditions and environments which enter into healthful, happy life for men and women in West Virginia than in any like area in the world. In West Virginia manhood is respected and promoted, womanhood is esteemed and protected, and children are subjects of the greatest interest and development. West Virginia is truly a good place in which to live.

HIGH COST OF GASOLINE AND OTHER PETROLEUM PRODUCTS.

Mr. LODGE. Mr. President, I am about to move an executive session, but I yield to the Senator from Wisconsin for the purpose of filing a report.

Mr. LA FOLLETTE. Pursuant to the unanimous consent accorded to me on the 1st day of March, I present the report (No. 1263) of the investigation provided for in Senate Resolution 295, with illustrations, which I ask to have printed.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

Mr. CURTIS. I ask the Senator if he will not move an open executive session, unless the matter is such that that can not be done?

Mr. LODGE. There is a treaty to be disposed of.

Mr. CURTIS. Very well.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 25 minutes spent in executive session the doors were reopened.

ADDITIONAL CLERK FOR COMMITTEE ON MILITARY AFFAIRS.

Mr. WADSWORTH. I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 403, further continuing the employment of an additional clerk to the Committee on Military Affairs.

There being no objection, the Senate proceeded by unanimous consent to consider the resolution, and it was read and agreed to, as follows:

Resolved, That Senate Resolution 340, agreed to September 18, 1922, authorizing the Committee on Military Affairs to continue the employment of an additional clerk, payable out of the contingent fund, until the end of the present Congress, be, and the same hereby is, further continued in full force and effect until the end of the Sixty-eighth Congress.

ADDITIONAL CLERK TO DISTRICT COMMITTEE.

Mr. BALL. Mr. President, I ask unanimous consent for the immediate consideration of Senate Resolution 437, continuing the employment of an additional clerk for the Committee on the District of Columbia.

The VICE PRESIDENT. The resolution will be read.

The Assistant Secretary read the resolution (S. Res. 437) submitted by Mr. BALL on February 12, 1923, as follows:

Resolved, That S. Res. 339, agreed to September 13, 1922, authorizing the Committee on the District of Columbia to continue the employment of an additional clerk, payable out of the contingent fund, until the end of the present Congress, be, and the same hereby is, further continued in full force and effect until the end of the Sixty-eighth Congress.

Mr. OVERMAN. Mr. President, I should like to inquire why this committee needs an additional clerk at this time. Each Senator has four clerks, and the committee may have more. I do not know as to that. I do know, however, that we are going to adjourn, the committees will all adjourn, and what is another clerk to do? Where are the four clerks the Senator has?

I have not any especial objection to the Senator's resolution. I did not object to the one of the Senator from New York [Mr. WADSWORTH], because I know that the Military Affairs Committee is at work all the time; but why should the Committee on the District of Columbia have another clerk?

Mr. BALL. Mr. President, the Committee on the District of Columbia has a number of investigations to make during the summer months.

Mr. OVERMAN. I should like to have order.

The VICE PRESIDENT. There must be order in the galleries, and no conversation.

Mr. BALL. Mr. President—

Mr. SMOOT. I will yield to the Senator for the consideration of the resolution providing it does not lead to any discussion whatever.

Mr. LODGE. Permission was granted before we went into executive session.

Mr. SMOOT. Very well, then.

Mr. McKELLAR. What is the resolution?

Mr. BALL. The resolution is to grant permission for the employment of my extra clerk of the Committee on the District of Columbia during the summer months.

Mr. McKELLAR. I have no objection, provided the resolution for investigating the street-car fares is permitted to be considered. Otherwise I shall object.

The VICE PRESIDENT. There is objection.

REQUEST RELATIVE TO PRINTING.

Mr. HEFLIN. Mr. President, will the Senator from Utah permit me to ask unanimous consent respecting a matter I had placed in the RECORD on yesterday?

Mr. SMOOT. If it does not lead to any discussion.

Mr. HEFLIN. I got permission on yesterday to have printed certain material in the RECORD. I ask permission to have it printed in 8-point type.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT OF REVENUE ACT OF 1921.

Mr. SMOOT. Mr. President, the unfinished business is H. R. 13770, an act to amend the revenue act of 1921, in respect to capital and gains and losses, and for other purposes. It was discussed somewhat last night; and it was made the unfinished business, with the understanding that the senior Senator from New Mexico [Mr. JONES] would consider the bill overnight and would decide this morning as to whether he would allow the bill to pass at this session or not. I spoke to the Senator in relation to its passage, and I gather from what he says that he does not feel that it is proper to allow the bill to pass at the present session of Congress. I ask the Senator if that is the case?

Mr. JONES of New Mexico. Mr. President, I hardly like to have it put that way. I believe that this section of the revenue law should be revised, but in the closing hours of the Congress I do not believe we have an opportunity to give to it the careful consideration which its importance demands. I believe that it will work an injustice.

During the last year the people of the country holding what might be termed "liquid assets, stocks, and bonds" on which they had suffered losses have taken those losses, and in their returns for the year 1922 they will be entitled to deduct the full amount of those losses. The taxpayers of the country having less liquid assets, who have not been able to take their losses through sales, will only be permitted to deduct 12½ per cent of their net losses.

Mr. McCORMICK. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state his point of order.

Mr. McCORMICK. An unbroken murmur of voices, both on the floor and in the galleries, absolutely precludes hearing the Senator from New Mexico on this side of the Chamber.

The VICE PRESIDENT. There must be quiet in the galleries and Senators will please refrain from audible conversation.

Mr. JONES of New Mexico. I realize the situation here, and the confusion which makes it necessary to raise one's voice above what anybody would like to do and retain the composure which the importance of the subject demands. I sincerely hope that there may be less confusion in the Chamber.

I may answer the Senator from Utah by saying that I am unwilling for this bill to pass in its present form. I would be willing to take the matter up and revise the provisions of the bill and adjust the situation so that it would be better than is provided for in existing law, but I do not believe that we could do that in an orderly way this morning and within the limited time, and I therefore suggest that the unfinished business be laid aside.

Mr. SMOOT. Mr. President, I understood the Senator correctly, then, that he did not propose that the bill should be passed at this session of Congress. It would be perfectly useless to accept an amendment to it, because it would have to go back to the House and there would have to be a conference, and there is no need of spending any time in the present consideration of the bill under those circumstances. I want to say, however, that at the very next session of Congress this bill will be introduced not only in the House but in the Senate, and at that time the Senator will have ample time to bring forward any amendment he desires to offer to it.

Mr. JONES of New Mexico. I did not hear or could not hear the Senator from Utah, but the suggestion has just been made that the bill does not affect any gains or losses except for the calendar year 1923 and future years; and next December, when we meet, we may then take up this measure, if we care to do so, and revise it so as to make it a proper measure and to make it applicable to the incomes of 1923, and the Treasury will not lose a dollar.

Mr. SMOOT. Mr. President, of course the Senator knows that retroactive legislation affecting taxation has never been agreed to in the House of Representatives, and I do not think it will be at any time in the future. In fact, I want to say to the Senator that I am opposed to retroactive legislation of that kind.

Mr. WALSH of Massachusetts. Is not this bill retroactive?

Mr. SMOOT. It begins the year—

Mr. WALSH of Massachusetts. We are asked to pass a bill now that is supposed to be operative dating back to January 1, 1923.

Mr. SMOOT. Beginning with January 1 of this year.

Mr. WALSH of Massachusetts. What is the difference between passing it in December and passing it now?

Mr. SMOOT. It gives the man who is escaping taxation from this date until we pass the bill next December, if it is passed, to make all the money he can in selling all of his worthless stock, in which there is a loss made. That is the difference. I say to the Senator now, and I say to the Senate, and I say to the country, that there will be a loss of millions and tens of millions of dollars to the Treasury of the United States if this bill does not pass.

Mr. WALSH of Massachusetts. If the abuse which the Senator refers to can take place until next December, it can take place between now and December if we pass the law.

Mr. SMOOT. The Senator is wrong in that. There is no necessity discussing that any further.

Mr. President, as the bill can not pass, I am going to take a few moments' time on another matter.

CONFIRMATIONS OF POSTMASTERS.

Mr. TOWNSEND. Will the Senator from Utah yield to me to make a unanimous-consent request?

Mr. SMOOT. If it does not lead to any discussion, I will yield.

Mr. TOWNSEND. Yesterday I was not able to be here, and it appears there were certain nominations for postmasters from the State of Idaho, which were sent to the Secretary's desk, but somehow or other were mislaid. There are three of them. I ask unanimous consent that the nominations be taken up as in open executive session and passed upon now, as both Senators from Idaho, I understand, have agreed to them. I ask for the immediate consideration of the nominations.

The VICE PRESIDENT. They will be reported.

Mr. MOSES. With the report of the Committee on Post Offices and Post Roads, I ask unanimous consent to submit the nomination of D. L. Hyder to be postmaster at Elizabethton, Tenn.

Mr. TOWNSEND. I ask that they be considered en bloc. I would like to have the names read, so that if there is any objection as to any one of them it can be made.

The Assistant Secretary read as follows:

Burton D. Fox to be postmaster at Challis, Idaho, in place of E. W. Keyes. Incumbent's commission expired September 5, 1922.

Mildred W. Des Voignes to be postmaster at Deary, Idaho, in place of B. M. Gorrie, resigned.

Alexander R. Wright to be postmaster at Oakes, N. Dak., in place of J. M. Hamill. Incumbent's commission expired November 21, 1922.

Daniel L. Hyder to be postmaster at Elizabethton, Tenn., in place of D. M. Brumit, resigned.

The VICE PRESIDENT. Is there objection to the immediate consideration of these nominations in open executive session? The Chair hears none. Will the Senate advise and consent to the nominations? [Putting the question.] The nominations are confirmed.

Mr. TOWNSEND. I ask that the President be notified.

The VICE PRESIDENT. The President will be notified, and the Senate resumes legislative business.

AMENDMENT OF REVENUE ACT OF 1921.

Mr. GLASS. Mr. President, may I inquire of the Senator from Utah if it is his purpose to pursue this unfinished business?

Mr. SMOOT. I want to pursue it unless there is some special reason for not doing so.

Mr. WALSH of Massachusetts. Mr. President—

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Massachusetts?

Mr. SMOOT. I yield.

Mr. WALSH of Massachusetts. Will the Senator permit me to make a very brief statement about this bill?

Mr. SMOOT. Mr. President, I think I had better proceed now.

Mr. WALSH of Massachusetts. I would like to make a statement about this bill.

Mr. SMOOT. The Senator will have time. I am not going to take very much time of the Senate.

Mr. WALSH of Massachusetts. All I wanted to say was that I was neither opposed to nor for the bill. I have not had a chance to study it, but protests have come to me from financiers in my State, asking that the bill be amended. I have not had time to consider it, and that is the reason I am taking the attitude that it should go over.

Mr. SMOOT. I think the Senator has received the same protests I have, and I do not wonder at the protests, coming from the source they do. I can show the Senate of the United States advertisements in the press appealing to people who have stocks which have decreased in value, showing them how they can escape taxation, but if this bill is passed they can not.

Mr. WALSH of Massachusetts. The communications which have come to me have not been in opposition to this bill, but have asked for amendments to it.

Mr. SMOOT. Of course we can not do that at this session of Congress, because that would defeat the bill, on the face of things.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the Speaker pro tempore of the House had signed the following enrolled bills and joint resolutions, and they were thereupon signed by the Vice President:

S. 425. An act authorizing the Attorney General of the United States to fix the salaries of United States attorneys and United States marshals of the several judicial districts of the United States within certain limits;

S. 4322. An act for the relief of the owners of the barge *Havana*;

S. 4614. An act to amend section 81 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

S. 3424. An act to provide for the reclamation of the United States military reservation, Fort De Russy, Honolulu, Hawaii;

S. 4544. An act to authorize the extension of the period of restriction against alienation on surplus lands allotted to minor members of the Kansas or Kaw Tribe of Indians in Oklahoma;

S. 4594. An act to authorize the Secretary of State to acquire in Paris a site, with an erected building thereon, at a cost not to exceed \$300,000, for the use of the diplomatic and consular establishments of the United States;

H. R. 297. An act for the relief of Mrs. Vincenza Diminico;

H. R. 514. An act authorizing the payment of an amount equal to six months' pay to Josephine H. Barin;

H. R. 624. An act for the relief of Albert H. White, Mary E. Fowler, Lorena B. Winkler, E. E. White, and C. A. White;

H. R. 745. An act for the relief of William H. Philbrick;

H. R. 1227. An act for the relief of Frank G. Emmes;

H. R. 1263. An act for the relief of Charles L. McCulley;

H. R. 2347. An act for the relief of certain homestead entrymen;

H. R. 4653. An act for the relief of Allie Melinda Outterside;

H. R. 5020. An act to provide for the sale by the Commissioners of the District of Columbia of certain land in the District of Columbia acquired for a school site, and for other purposes;

H. R. 6196. An act for the relief of Robert E. Danforth;

H. R. 6577. An act authorizing the conveyance of certain land in the State of South Dakota to the Robert E. Kelley Post, No. 70, American Legion, South Dakota;

H. R. 7027. An act for the relief of Herbert E. Shenton;

H. R. 7921. An act granting six months' pay to Alice P. Dewey;

H. R. 8051. An act for the relief of the Commonwealth & Dominion Line (Ltd.), owner of the British steamship *Port Phillip*;

H. R. 8221. An act for the relief of the Chinese Government;

H. R. 8291. An act for the relief of Trygve Kristian Lode;

H. R. 8533. An act for the relief of Joe T. White;

H. R. 8625. An act to provide for the cession to the State of Michigan of certain public lands in the county of Keweenaw, State of Michigan;

H. R. 8733. An act for the relief of Harold L. McKinley;

H. R. 8871. An act for the relief of Richard Andrews;

H. R. 8928. An act to provide for the classification of civilian positions within the District of Columbia and in the field services;

H. R. 9160. An act for the relief of John Anderson;

H. R. 9631. An act for the relief of Edward F. Dunne, jr.;

H. R. 10022. An act for the relief of Eldredge & Mason, of Malone, N. Y.;

H. R. 10847. An act for the relief of Jacob Dietch;

H. R. 10848. An act for the relief of Estella W. Dougherty;

H. R. 11528. An act to allow credits in the accounts of certain disbursing officers of the Army of the United States;

H. R. 12053. An act to define butter and to provide a standard therefor;

H. R. 12138. An act for the relief of Frank A. Jahn;

H. R. 12171. An act to grant certain lands to the city of Skagway, Alaska, for a public park;

H. R. 12378. An act granting consent of Congress to maintain a bridge across the Rio Grande River;

H. R. 12584. An act for the relief of Alice Loeber;

H. R. 13617. An act to dissolve the Colored Union Benevolent Association, and for other purposes;

H. R. 13724. An act for the relief of Hugh Marshall Montgomery;

H. R. 13751. An act authorizing the Secretary of the Interior to sell and patent certain lands to Robert E. Wyche, a resident of Caddo Parish, La.;

H. R. 13903. An act for the relief of the New York State Fair Commission;

H. R. 14080. An act granting six months' pay to Harriet B. Castle;

H. R. 14183. An act to authorize the Secretary of the Treasury to sell a portion of the Federal building site in the city of Duquoin, Ill.;

H. R. 14222. An act to amend the trading with the enemy act;

H. R. 14226. An act to preserve the status of persons awarded compensation under the act approved September 17, 1916;

H. R. 14296. An act to authorize the county of Huron, State of Michigan, to convey a certain described tract of land to the State of Michigan for public park purposes;

H. R. 14351. An act to authorize bridging the Ohio River at Moundsville, W. Va.;

H. R. 14428. An act granting the consent of Congress to the reconstruction, maintenance, and operation of an existing bridge across the Red River between Moorhead, Minn., and Fargo, N. Dak.;

H. R. 14429. An act granting the consent of Congress to the reconstruction, maintenance, and operation of an existing bridge across the Red River between Grand Forks, N. Dak., and East Grand Forks, Minn.;

H. J. Res. 415. Joint resolution to authorize the improvement of the Columbia River at St. Helens, Oreg.;

H. J. Res. 442. Joint resolution to authorize the transportation to Porto Rico of a committee representing the Fourth Ohio Infantry, war with Spain; and

H. J. Res. 465. Joint resolution carrying out the purpose of a House resolution providing for a legislative clerk to the acting minority leader of the House, adopted March 3, 1923.

ADVANCE IN SUGAR PRICES.

Mr. SMOOT. Mr. President, last Friday the junior Senator from Massachusetts [Mr. WALSH] had printed in the RECORD a circular letter signed by one M. Doran, an assistant secretary of the United States Sugar Association. Who he is, where he is from, no one seems to know.

Mr. WALSH of Massachusetts. Mr. President—

Mr. SMOOT. And I am going to take just a short time—

Mr. WALSH of Massachusetts. Will the Senator yield? The RECORD shows that he is secretary of the United States Sugar Association.

Mr. SMOOT. That is what I have said.

Mr. WALSH of Massachusetts. Does the Senator know of such an association?

Mr. SMOOT. I know of such an association.

Mr. WALSH of Massachusetts. What authority has the Senator to say that who he is and where he comes from, nobody knows?

Mr. SMOOT. If the Senator will please let me proceed without interruption, I will tell the Senator before I get through.

Mr. WALSH of Massachusetts. The Senator should not make incorrect statements.

THE SUGAR TARIFF.

Mr. SMOOT. Several weeks ago there was laid before me a closely typewritten seven-page letter bearing date of January 26, written by the "United States Sugar Association," and addressed to one of my colleagues, with the request that I have it analyzed.

I found the letter full of inaccuracies, truths half told, and colored statements, evidently designed to mislead my colleagues. Failing to find in it a fair or honest paragraph, I placed the letter in the hands of Truman G. Palmer, who is known the world over—ex cathedra—as the best posted sugar man and statistician in America, whose statistical loose-leaf sugar publication is used throughout the sugar-producing countries of the world, and is subscribed to by both beet and cane sugar producers. Even the seaboard refiners, who use the truth with such penurious frugality, admit and pay tribute to the reliability of Mr. Palmer's sugar statistics.

Mr. Palmer has gone over this letter very carefully, analyzing it from beginning to end, and furnished me with the statistical figures with explanations. I ask to insert these in 8-point type as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

MISSTATEMENT REGARDING NEW YORK PRICE OF SUGAR SEPTEMBER 22 TO NOVEMBER 22, 1922.

In the opening paragraph the pretense is made that this seven-page closely typewritten letter is written "for the purpose of informing you about some of the effects of the tariff on sugar imposed by the Fordney-McCumber bill." We will endeavor to see whether it is information or misinformation these people are trying to spread among your colleagues.

The first statement of alleged statistical fact made by the refiners in their letter is as follows:

"Between the date of its approval, September 22, 1922, and November 22, 1922, the price of raw sugar advanced from 3 cents to 4 cents per pound, the duty-paid price of raw sugar from 4.78 cents to 5.78 cents per pound, and the New York price for refined sugar from 6.25 cents to 7.25 cents per pound, or all of above exactly 1 cent per pound."

Here is a definite statement covering three sets of quotations to the effect that in each case, from September 22, 1922, to November 22, 1922, the price of sugar in New York advanced "exactly 1 cent per pound." New York quotations of sugar are known to everyone in the trade and are open to the public through the pages of Willet & Gray's Statistical Sugar Trade Journal and various other trade publications.

How utterly unreliable are the figures the refiners give is shown by comparing them with the actual New York quotations on the dates mentioned. It will be seen that in but one instance have the refiners stated the figures correctly, and that instead of there having been an advance of "exactly 1 cent per pound" it was from three-fourths to a little over seven-eighths cent per pound:

	Price of raw sugar per pound.		Difference.
	Sept. 22.	Dec. 22.	
New York in bond:			
Refiners' statement.....	Cents. 3	Cents. 4	Cents. 1
Actual price.....	3	3.825	.825
New York duty paid:			
Refiners.....	4.78	5.78	1
Actual price.....	4.77	5.65	.88
New York price of granulated:			
Refiners.....	6.25	7.25	1
Actual price.....	6.125	6.86	.735

A quarter of a cent a pound seems small, but when applied to the 3,237,449 tons of Cuban sugar which we consumed last year, we find that the refiners' figures are in error to the extent of no less than \$16,000,000 on our 1922 consumption of Cuban sugar, and a quarter of a cent added to or taken from our total 1922 consumption would make a difference to consumers of no less than \$28,000,000.

SENATOR BROUSSARD'S PREDICTION AS TO SIZE OF LOUISIANA CROP.

In the next paragraph they say:

"This advance took place despite the fact that the Louisiana cane crop was being marketed continuously and the domestic beet crop was being produced and was offered the opportunity of coming on the market freely to prevent this advance. As the Louisiana crop amounted to only 241,000 short tons, instead of 365,000 short tons predicted by Senator BROUSSARD during the course of the Senate debates, it was too insignificant to have any influence on prices, as our total annual consumption for 1922 turned out to be 5,703,888 short tons."

The difference between the actual Louisiana crop and Senator BROUSSARD's prediction was wholly due to an act of the American producers of sugar in Cuba. It was caused in the following manner:

In the summer of 1920, after the domestic beet and cane sugar crop had been exhausted and due to a shortage in sugar, the New York price of refined had risen to 12 cents per pound. To profit inordinately by reason of our apparent helplessness, the American and Cuban producers of sugar in Cuba, with nearly 700,000 tons of sugar in their warehouses, met in Habana, formed a pool, and agreed not to sell any of their product at less than 24 cents per pound. This forced the United States to scour the world for sugar and resulted in her securing approximately a million tons from 50 other countries at an average cost of about 15 cents per pound. This displaced the market for that amount of Cuban sugar and left Cuba with a carry over of 1,200,000 tons in January, 1921, and the price of sugar went to smash, throwing the island into virtual bankruptcy, all because of the rapacity of her American refining producers who thought they could bleed us white.

The price of sugar went so low that Louisiana found it impossible to finance for any but the smallest acreage, hence the decreased crop, all because of the attempt of the American producers of sugar in Cuba to bleed us for 24 cents per pound for their raw sugar at a time when we were practically out of sugar and their Cuban warehouses were bursting with several hundred thousand tons for which there was no market outside of the United States. In our time of need it was indeed a sordid return for the continuing favor we extended to Cuban sugar under the reciprocity treaty 20 years ago.

DOMESTIC FREIGHT (BEET) PROTECTION, 1½ CENTS PER POUND.

The next paragraph of the letter in question is as follows:

"As the domestic beet production for 1922 was 691,000 short tons, as compared with 1,020,000 short tons in 1921 and 1,060,000 short tons in 1920, and was therefore barely sufficient to supply local consumption needs during a period of six months, sales were confined to local territory, so that the beet fac-

tories could add to their price the freight protection that they were favored with over cane refineries, averaging 1½ cents per pound."

It will be news, indeed, and good news to the beet-sugar manufacturers to know that they enjoy an average freight protection of 1½ cents per pound against Cuban sugar at New York. This statement should bear the headline, "Important, if true." But it is not true.

Some years ago the figures were gathered and published showing the weekly cane and beet sugar quotations in Pittsburgh, Detroit, Chicago, Kansas City, Denver, and San Francisco for a period of six years. These tables included some 4,000 quotations. They cover the years 1913 to 1918. Below I reproduce the yearly averages of these figures, together with the New York averages. Quotations on the same day in the same markets were so wide in 1919 and 1920 as to preclude preparing similar tables for those years. I understand that quotations for subsequent years are now in course of preparation, but owing to continued unstable market conditions they will not form a reliable basis of comparison with normal conditions.

Average annual price of beet and cane sugar in certain leading United States markets, 1913-1918.

Year.	New York cane, refined, per pound.	Pittsburgh.		Detroit.		Chicago.	
		Cane per pound.	Beet per pound.	Cane per pound.	Beet per pound.	Cane per pound.	Beet per pound.
	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.
1913.....	4.278	4.431	4.287	4.461	4.316	4.519	4.375
1914.....	4.683	4.862	4.746	4.893	4.776	4.941	4.831
1915.....	5.559	5.726	5.529	5.755	5.560	5.814	5.616
1916.....	6.862	7.048	6.897	7.077	6.907	7.136	6.967
1917.....	7.663	7.855	7.437	7.914	7.468	7.725	7.523
1918.....	7.534	8.000	7.987	8.069	8.060	8.154	8.131
Average.....	6.146	6.320	6.147	6.361	6.181	6.381	6.240

Year.	Kansas City.		Denver.		San Francisco.	
	Cane per pound.	Beet per pound.	Cane per pound.	Beet per pound.	Cane per pound.	Beet per pound.
	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.
1913.....	4.597	4.453	4.937	4.742	4.645	4.449
1914.....	5.028	4.911	5.298	5.057	4.993	4.737
1915.....	5.892	5.690	6.149	5.949	5.850	5.635
1916.....	7.214	7.044	7.423	7.199	7.061	6.865
1917.....	7.792	7.610	8.004	7.816	7.461	7.314
1918.....	8.241	8.241	8.559	8.559	7.777	7.754
Average.....	6.460	6.325	6.614	6.553	6.288	6.126

By working out a general average for the entire six-year period we get the following results:

	Cane per 100 pounds.	Beet per 100 pounds.	Beet higher than New York cane per 100 pounds.	Beet lower than cane in same market per 100 pounds.
New York.....	\$6.146		\$0.055	\$0.229
Pittsburgh.....	6.320	\$8.091	1.131	.346
Detroit.....	6.361	6.015	.112	.123
Chicago.....	6.381	6.258	.157	.157
Kansas City.....	6.460	6.303	.377	.091
Denver.....	6.614	6.523	1.027	.169
San Francisco.....	6.288	6.119	.072	.186

¹ Lower than New York cane price.

It will be seen from the figures above that instead of having an average freight advantage of 1½ cents per pound, as compared with the New York cane price, for the entire six-year period beet sugar sold in Pittsburgh, Detroit, and San Francisco at 5½ cents, 13.1 cents, and 2.7 cents, respectively, per 100 less than the New York price of sugar made from imported Cuban raws during the same period. It also will be seen that the average freight advantage enjoyed for six years by beet sugar in the six cities mentioned amounted to only 7.2 cents per 100 pounds, and not \$1.50 per 100, as the refiners would have your colleagues believe. It also will be observed that in the same markets jobbers secured beet sugar at an average of 18.6 cents less per 100 than the price at which they were able to secure cane sugar made from imported Cuban raws. Had

our entire consumption last year been made from domestic beets and been purchased at a like reduction from the price of imported Cuban sugar, the saving to our people would have amounted to over \$21,218,000.

STATEMENTS OF SENATORS SMOOT, NICHOLSON, TOWNSEND, AND GOODING CRITICIZED.

The next paragraph of the letter reads as follows:

"They (domestic beet-sugar producers) did not rush into territory in which they would come into competition with sugar refined from Cuban cane and prevent this advance, in accordance with the claims that they have always done so made by Senators SMOOT, NICHOLSON, TOWNSEND, and GOODING during the course of the Senate debate."

In the above and in subsequent paragraphs where they say beet sugar was not offered freely and hence there was an unusual carry over into 1923, the refiners would lead the reader to believe the domestic beet-sugar manufacturers were trying to gouge the American people by exacting high prices for their product, when as a matter of fact their sugars were offered freely and every bag of it was sold at a lower price than imported cane sugar was selling for on the same day in the same market.

Reference to the pages of Willett & Gray's Statistical Sugar Trade Journal will disclose the truth or falsity of the thought the refiners would convey to my colleagues. Please bear in mind that Chicago is the great market for beet sugar, more beet sugar being marketed there than at any other point. From these quotations you will observe, first, that as soon as beet sugars were being produced they came into the market freely, not only in the markets from Chicago west, but east to Buffalo and Pittsburgh, right in the heart of the cane territory usually supplied by seaboard refiners. You also will note that each advance in price was made by seaboard refiners, the beet following but always selling at a lower figure than imported cane, and that the advances in price were not made because of the beet but in spite of beet competition. Copies of Willett & Gray's weekly notices concerning the movement of beet sugars from September 14 to December 31, 1922, the period alluded to by the refiners, are as follows:

MOVEMENT OF BEET SUGAR, SEPTEMBER 14 TO DECEMBER 28, 1922, AS NOTED BY WILLETT & GRAY.

W. & G., September 14, 1922: "Advices from Detroit state that the eastern beet sugar factories' new production will be available sometime between the 1st and 15th of October."

W. & G., September 21, 1922: "New crop beet sugars are offered more freely, but it is too early for actual sugars to appear in quantity, although Great Western advises that they are now offering beets at the 6.15 (6.027 net cash) seaboard basis in Chicago territory and westward. Eastern beets are expected to be available between the 1st and 15th of October. Many of the beet factories, including the Great Western, offer their sugars on a 30-day guaranteed contract, the guarantee applying against decline in the price." New York granulated, 6.125 net cash (cane).

W. & G., October 5, 1922: "Western beet in Chicago territory is quoted at 6.50 cents (6.370 net cash) seaboard basis." New York cane granulated, 6.37 cents net cash.

W. & G., October 11, 1922: "According to our advices from Detroit, Michigan new crop beet sugars are offered, subject to confirmation, at 6.50 cents (6.370 net cash) seaboard basis, shipment on or before October 31." New York cane granulated, 6.468 cents.

W. & G., October 19, 1922: "An interesting feature during the week has been the starting up of the Ohio and Michigan beet sugar factories, and which factories are quoting 6.80 cents (6.664 cents net cash) seaboard basis, no guarantee, shipment in turn, but which shipments are expected to start early next week." New York cane granulated, 6.90 cents (6.762 net cash).

W. & G., October 26, 1922: "At this writing, the demand at 6.90 cents (6.762 cents net cash) has improved materially, necessitating an advance of 7 cents (6.860 net cash) by American, National, Warner, and Atkins, and to 6.90 (6.762 cents net cash) by Arbuckle. Other markets made corresponding advances." New York cane granulated, 6.762 cents net cash.

W. & G., November 2, 1922: "The same conditions apply to the domestic beet industry as, although many of the factories advanced their list prices to 6.90 cents (6.762 cents net cash), there have been free offerings at the 6.80 cents (6.664 cents net cash) seaboard basis, and apparently a good business has been done." New York cane granulated, 6.762 cents net cash.

W. & G., November 9, 1922: "The eastern beet sellers have made an effort to advance their price above the 6.80 cents (6.664 cents net cash) seaboard basis, and the free selling and

easier conditions of the Louisiana clarifieds and plantation markets are also having their effect on the demand for refined sugar." New York cane granulated, 6.762 cents net cash.

W. & G., November 16, 1922: "Beet sugars continue unchanged at the 6.80 cents (6.664 cents net cash) seaboard basis both east and west of Chicago, but reports from the beet-growing sections are becoming more favorable, and it now looks as if the improved outturn recently looked for will not be obtained." New York cane granulated, 6.762 cents net cash.

W. & G., November 23, 1922: "We have had no new advices from the beet manufacturers, their quotation continuing to be maintained at 6.80 cents (6.664 cents net cash), seaboard basis, for territory east of Chicago to Buffalo, Pittsburgh, and west of Chicago to Rocky Mountains." New York cane granulated 6.86 cents net cash.

W. & G., November 29, 1922: "The beet-sugar situation has been somewhat irregular, the eastern beet manufacturers apparently being reluctant to advance, although on Monday they increased their price from 6.80 cents (6.664 cents net cash) to 6.90 cents (6.762 cents net cash) and later advanced their list basis to 7.15 cents (7 cents net cash), although their last advices to us are that the 7.15 cents (7 cents net cash) price is nominal and that they continue selling at 6.90 cents (6.762 cents) seaboard basis. The western manufacturers have also advanced their price to 7.15 cents (7 cents net cash), but it is somewhat doubtful whether they are firm at this price. Undoubtedly some sugars could be obtained from them at 7 cents (6.86 cents net cash) and probably at the price named by the western beet-sugar refiners." New York cane granulated 6.958 cents net cash.

W. & G., December 7, 1922: "Advices from eastern beet centers report a recession to the old price of 6.90 cents (6.762 cents net cash), seaboard basis, for favorable territory, although the list price was 25 points higher, and while the western beet manufacturers do not name anything below 7.10 cents (6.958 cents net cash), they undoubtedly are meeting the competition of the eastern manufacturers." New York granulated 6.958 cents net cash.

W. & G., December 14, 1922: "We have no important advices from the beet-growing sections, both eastern and western beets being quoted at 6.90 cents (6.762 cents net cash), seaboard basis." New York cane granulated 6.958 cents net cash.

W. & G., December 21, 1922: "Eastern beet manufacturers have reduced their quotation from 6.90 cents (6.762 cents net cash) to 6.80 cents (6.664 cents net cash) seaboard basis, but we have heard no advices from the western beet producers, whose quotation remains nominally 6.90 cents (6.762 cents net cash)." New York cane granulated 6.958 cents net cash.

W. & G., December 28, 1922: "Eastern beet sugars continue to be quoted at 6.80 cents (6.664 cents net cash), the same as previously reported from Michigan, but the western manufacturers, for territory west of Chicago to the Rocky Mountains, have advanced their price from 6.90 cents (6.762 cents net cash) to 6.80 cents (6.664 cents net cash), all beet quotations seaboard basis." New York cane granulated 6.86 cents net cash.

TARDY SALES OF 1922 BEET-SUGAR CROP.

The next paragraph of the letter is as follows:

"Ordinarily the domestic beet-sugar factories aim to dispose of two-thirds of their production between October 1 and January 1, as the prices then are generally higher than later when the Cuban and Porto Rican crops come on the market in large volume. But this year they have not disposed of one-quarter of their crop up to the 1st of January, and hence there is a carry over of domestic beet sugar into 1923 of 450,000 tons."

As with other statements of the refiners, the above is untrue. As shown by the monthly sugar reports of the Census Bureau, to January 1, 1923, there had been produced 683,603 tons of domestic beet sugar, and of the new crop there had been sold 258,111 tons, or 37.7 per cent and not less than 25 per cent, as stated by the refiners.

Their statement that "ordinarily" the beet sugar people aim to do this or do that is in error. The marketing of sugar, like that of all other staple crops, is a mere matter of merchandising coupled with financial ability. Some of the weaker companies are compelled to rush their sugars to market as soon as made, regardless of the prevailing price, while others are able to hold their product if they so elect. Or one guesses that the market is going up and markets leisurely, while another guesses that the market is going down and markets rapidly. All try to sell to best advantage, but for the following reasons domestic sugar always sells for a lower price than sugar made from foreign raw:

The normal beet sugar crop of the United States is sufficient to supply our requirements for less than three months. Aside

from California, the crop is made in three to four months—October to January—and finds our markets already supplied with imported cane sugar, the refiners of which are amply able to supply our total requirements the entire year. So in order to induce the jobbers to break away temporarily from the refiners and handle the domestic product it is necessary for the domestic producers to offer their sugar at a lower price than cane, varying from 10 cents to as high as 40 cents per hundred, the size of the reduction depending upon the amount of competition among the beet people themselves. As the domestic sugar comes on the market and is offered at a lower price than cane, the seaboard refiners gradually reduce their prices, first in the West, until finally when their margin of profit disappears they withdraw from the far West, then from Missouri River points, then Chicago, gradually retreating eastward until the flood of domestic sugar is absorbed, when they mark up the price and reenter the market.

In times gone by in an endeavor to crush the domestic beet sugar industry by forcing it to sell at a tremendous loss they have made their Missouri River price even lower than the price of raw sugar in New York, exhibiting a willingness to lose millions themselves if they but could ruin their competitor. But as such efforts proved futile, they now aim to withdraw when their profits reach the vanishing point, frequently closing down their refineries until the onrush of beet sugar is over.

BEET-SUGAR PRODUCERS WOULD NOT SELL PRODUCT EVEN AT HIGH PRICES.

The next statement of the refiners is as follows:

"They (the domestic beet-sugar producers) did not offer their product for sale freely at 7.25 cents per pound, seaboard basis, although the price during this period (September 22 to December 31) in the previous year, 1921, was 5.20 cents per pound, or 2.05 cents per pound less. Hence they displayed no philanthropy toward American consumers of sugar, as their Senate advocates and defenders have attempted to lead the public believe."

The sentence above is as misleading as are those which precede and follow it. It conveys the idea that from September 22, 1922, to December 31, 1922, the beet-sugar producers could have secured 7½ cents per pound, seaboard basis, for their sugar but declined to sell at that figure. No one knows better than do the refiners that the highest net cash New York price at which granulated sugar sold in 1922 was 6.958 cents and that under no possible circumstances could a pound of either domestic or imported sugar have been marketed above that basis. As beet always sells below cane, of course "they did not offer their product for sale freely at 7.25 cents per pound." As well say they did not offer it at 10 or 20 cents per pound. They stated a truth, but with the deliberate purpose of deceiving the reader. Below are Willett & Gray's quotations for cane and beet granulated for the period in question:

	New York price, granulated.	Beet granulated, New York basis.
	Cents.	Cents.
Sept. 14.....	6.125	.....
Sept. 21.....	.....	6.027
Oct. 3.....	6.370	.....
Oct. 5.....	.....	6.370
Oct. 11.....	6.468	6.370
Oct. 13.....	6.615	.....
Oct. 16.....	6.762	.....
Oct. 19.....	.....	6.664
Nov. 23.....	6.860	.....
Nov. 27.....	6.958	.....
Nov. 29.....	.....	6.762
Dec. 26.....	6.86	.....
Dec. 28.....	.....	6.664
Dec. 31.....	6.86	.....

As to philanthropy, no one claims to be actuated by philanthropic motives in disposing of his product, be it sugar or potatoes. They all get what they can in the open market. It is a "bogy man" the refiners set up to knock down. I have heard or read every sugar speech which has been delivered in both Houses of Congress for the past 20 years and do not recollect that any advocate of the domestic industry has been so foolish as to attribute philanthropic sentiments to the domestic manufacturers in the sale of their product. It is a clumsy attempt to ridicule the intelligence of Members of the Senate who are patriotic enough to defend the domestic industry and try and save it and the people from the machinations of refining and Cuban enemies.

The saving to the American people by reason of having established a domestic sugar industry comes not from philanthropy but because of the competitive conditions which Congress has established through levying such import duty as enables the domestic sugar industry to live and by competition prevent the

refiners and other American producers of sugar in Cuba from practicing extortion.

Philanthropy does not enter into the equation. It is purely a matter of national policy. And speaking of national policy; as I already have stated, either Cuba or the United States can produce our entire sugar supply. The question is, is it best for and safer for the American people to import our sugar from Cuba or produce it at home. We recently have passed through an illuminating experience which furnishes good ground on which to base logical conclusions. If we admit that domestic producers if given a chance would be as grasping as the producers of sugar in Cuba have proven themselves to be, we must not overlook the fact that our antitrust laws forbid domestic producers forming pools, combinations and selling agreements by which extortion might be practiced and that these laws can not reach the producer of sugar in Cuba.

All through the war, the United States Government by agreement with domestic sugar producers, fixed the maximum price at which their product could be sold, the price ranging from 7½ cents for the 1917 to 9 cents for the 1918 crops. To prevent excessive extortion on the part of producers of sugar in Cuba, the United States Government purchased the entire Cuban 1917-18 crop at more than double the price per pound they received for their 1914 crop. The following year we purchased their crop at an advance of 170 per cent above the price they received in 1914. The next year they offered us their crop at a price representing an increase of 220 per cent above what they received in the open market for their 1914 crop and we declined to purchase.

What would have happened to us had we not purchased their 1917 and 1918 crops at a fixed price, and what would happen to us at any time in the future should a sugar shortage confront us, can be judged by what these worthy philanthropists tried to put over on us in 1920, following our decline to purchase their 1919 crop. Because of the sugar shortage in June, 1920, refined granulated sugar sold in New York at 9.9 to 13.72 cents per pound. Cuban warehouses were bulging with between 600,000 and 700,000 tons of raw sugar and our sugar bins were empty. These philanthropic American producers of sugar in Cuba, who had fattened on the high prices we had paid them for their last two crops, thought they saw a chance to get any figure they might fix for their warehoused 600,000 tons of sugar. So, taking advantage of our apparent helplessness and dependency upon them, they met in Habana on June 30, 1920, and formed a pool, under the terms of which they agreed not to sell us a pound of raw sugar at less than 24 cents, or about twice the price that granulated then was selling for in New York.

By scouring the world for sugar and bringing in a little from each of 50 different countries, we managed to secure some 974,000 tons at an average price of about 15 cents per pound and so broke the pool, but at what a cost to the American people! Cuba bled us for \$609,000,000 for our 1920 purchases of sugar, and altogether our sugar imports in that year cost us the enormous sum of \$970,767,339, a sum sufficient to erect and completely equip five hundred and forty 1,000-ton beet-sugar plants with an annual producing capacity of five and one-half million tons of sugar, requiring 48,000,000 tons of beets, which at \$6 per ton would yield American farmers \$288,000,000 a year. Yet the refiners who own the bulk of the sugar industry of Cuba would have us abandon the home industry and leave the American people to their tender mercies.

ECONOMICALLY ABSURD—STATEMENT OF SENATOR SMOOT.

They say:

"The above developments are the practical answers to the claims that the tariff does not increase the prices, and that the influences of the tariff-favored domestic beet and Louisiana cane-sugar production always brings about a decline in prices. You will recall the graphic set of statistics that Senator Smoot exhibited in the Senate Chamber during his speech on August 7, 1922, attempting to show that whenever the tariff on sugar was increased the price of sugar declined, and whenever the tariff on sugar was reduced the price of sugar advanced. These statements were furnished him by Truman G. Palmer, secretary and treasurer of the United States Sugar Manufacturers' Association—the beet-sugar lobby at Washington—and were economically absurd. If, as a matter of fact, the price of sugar increased when the tariff was reduced, Senator Smoot and other high-tariff advocates should have fought for free instead of an increase in the tariff. This is the inevitable logic of such a position."

The refiners again do not state the truth. It is simply another misstatement made in an endeavor to make me appear ridiculous and illogical. The statement made, based on the sta-

istics in question, was that whenever the United States duty was increased on sugar, the New York in-bond price of raw sugar declined, and whenever the duty was lowered, the New York in-bond price of raw sugar advanced. As regards the price of refined sugar, the figures, as printed in my speech in the CONGRESSIONAL RECORD of August 7, 1922 (p. 11012), plainly showed that there was an increase in the New York wholesale price of refined when the duty was increased, and that when the duty was reduced there was a reduction in the price of refined, but that only a portion of the difference in the rate of duty was reflected in the price of refined.

The whole point of my argument was that the foreign producer absorbed the larger portion of the increase in duty and appropriated the larger portion of the reductions in duty. The figures showed that when the duty was reduced by the Wilson bill, the importers and refiners appropriated 76.3 per cent of the reduction; that when the duty was increased by the Dingley bill the importers and refiners absorbed 58.3 per cent of the increased duty; that when it was reduced by the Cuban reciprocity treaty the importers and refiners appropriated 61.4 per cent of the reduction, and that when it again was reduced by the Underwood bill the refiners and importers appropriated 54 per cent of the reduction.

In other words, on three occasions, when we have lowered the duty, the refiners have stolen 76.3 per cent, 61.4 per cent, and 54 per cent of the benefits which were intended should go to the people, and on the one occasion, when you increased the duty, the refiners and importers paid 58.3 per cent of the increase through lowering the in-bond price of raw sugar and lowering the refiners' margin between raw and refined.

PRICE OF SUGAR DECLINES BECAUSE OF EARLY PRODUCTION IN CUBA.

The next paragraph of the refiner's letter is as follows:

"There was no relief from this advance until December 14, 1922, when duty-paid raw sugar declined to 5.67 cents per pound and New York refined to 7.10 cents per pound, which was entirely due to the influence of the new Cuban cane crop. The campaign in Cuba opened on November 27, in 1922, as compared with December 7, 1921, and twice as many sugar mills were in operation in 1922 as there were in 1921, as a result of which 300,000 tons of raw sugar were produced in Cuba up to the 1st of January, as compared with none in 1921, and 150,000 tons of this new crop reached the local markets and brought about a decline."

According to Willett & Gray, the New York price of 96° raw sugar on October 30, 1922, was 5.53 cents per pound. November 15 it reached 5.78 cents, and on December 14 it dropped back to 5.53 cents, this being the decline which the refiners would have your colleague believe was attributable to the early campaign in Cuba resulting in the production of 300,000 tons, of which 150,000 tons had been shipped and had "reached the local markets and brought about the decline" of December 14. This is still further from the truth than even the refiners usually get, especially where the falsity of their figures is so easily proven. Instead of Cuba having commenced grinding early and having produced 300,000 tons, of which 150,000 tons had "reached the local markets and brought about the decline" of December 14, Cuba on December 16 had made but 59,344 tons, of which only 18,202 tons had reached her shipping ports and only 4,571 tons had been loaded and shipped. Even this infinitesimal amount still was afloat and had not "reached the local markets and brought about the decline" of December 14. Please refer to Willett & Gray of December 21, page 622, where you will find the following table:

Cuban production—1922-23 crop.

	Tons.
All centrals to Dec. 16, 1922, partially estimated (less Cuban consumption to date).....	59,344
Stock, 1922-23 crop sugars at shipping ports.....	13,631
Total exports, 1922-23 crop sugars.....	4,571
Total receipts at shipping ports, 1922-23 crop sugars.....	18,202
Stock 1922-23 crop sugars on plantations and in transit.....	41,142

That 4,571 tons of Cuban sugar "afloat" somewhere between New York and a Cuban port would drive the New York market down a quarter of a cent a pound is absurd, indeed, when one considers that our average consumption last year amounted to 15,616 tons a day for every day in the year, and this little dab of sugar would last us for a little less than 5 hours and 30 minutes. Even the entire amount of sugar on Cuba's docks at that time was less than a 24-hour supply for the United States. And if the production of such a small quantity of sugar in Cuba would so greatly affect the New York sugar market, why fail to mention Louisiana production? The New Orleans receipts of new crop Louisiana sugars on December 15 amounted to 65,885 tons, which is nearly five times as much

sugar received at one United States port as had arrived at all the ports of Cuba. Of this Louisiana sugar, 58,419 tons had been sold, or more than twelve times the amount of sugar that had been shipped from Cuba on the same date.

As the refiners adroitly weave in another date, that of December 30, although the decline was on December 14, let us see if Cuba even then had produced 300,000 tons, of which 150,000 tons had "reached the local markets and brought about the decline" of December 14. By referring to Willet & Gray, December 30, Cuba had only produced 190,127 tons, of which only 77,778 tons had reached a shipping port, and that of this only 40,907 tons, or less than a three days' United States supply, had been shipped.

Cuban production, 1922-23 crop.

	Tons.
All centrals to Dec. 30, 1922, partly estimated.....	190,127
Less Cuban consumption to date.....	190,127

	Tons.
Stock 1922-23 sugars at shipping ports.....	36,871
Total exports 1922-23 crop sugars.....	40,907

Total receipts at shipping ports 1922-23 crop sugars.....	77,778
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Stock 1922-23 crop sugars on plantations in transit to ports.....	112,349
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Comment on the falsity of the refiners' statement and the absurdity of their contention would seem to be unnecessary.

If it were true that such a small amount of Cuban production caused the decline of December 14, how is it that on February 10, 1923, when Cuba had produced 1,035,259 tons of new-crop sugar, the New York in-bond price of sugar, as stated in press dispatches, had reached "the highest level in almost two years"? The refiners knew that the decline of December 14 was in no wise attributable to Cuban production.

PORTO RICO ALSO A CONTRIBUTORY CAUSE TO DECLINE IN THE PRICE OF SUGAR.

The refiners next set forth at considerable length the various downward fluctuations of raws on the New York market, and conclude the paragraph with:

"These further declines were due to the combined influences of the Cuban and Porto Rican receipts of new-crop sugars and the large carry over of domestic beet into 1923."

I already have alluded to the slim production of Cuban sugar prior to January 1. Now they attempt to give Porto Rico a part of the credit for the decline. Inasmuch as the monthly census reports on sugar received by the refineries show that our refiners received only 11,631 tons of Porto Rican sugar during the month of November and only 77 tons in December, Porto Rican sugar was not much of a factor in bringing about a decline. Why give Porto Rico's little 11,700 tons credit for bringing about the decline and withhold credit from Louisiana, which, according to the Census Bureau, during the same months—November and December—supplied the refiners with 92,549 tons of raw sugar? And how, in the same breath that they credit the decline to exaggerated production and sales of Cuban and Porto Rican sugars, can they credit it to "the large carry over of domestic beet into 1923"? I fail to get the logic of their reasoning.

SAN FRANCISCO PRICES ALWAYS 40 TO 50 POINTS ABOVE NEW YORK.

The next paragraph of the refiners' letter is as follows:

"The advances and declines referred to above were relatively the same throughout the country, as all sugars are sold upon the New York price plus the freight charge. The exception is the Pacific coast. The San Francisco prices of sugar are always as much as 40 points, and frequently as much as 50 points, above New York quotations, although all sugar entering the port of San Francisco is duty free and nearly all entering the port of New York is subject to duty. The Pacific coast sugar interests are in a position to exact this premium from consumers of their own refinery at Crockett, Calif., and refine all of their raw product there, and the balance of the Hawaiian raw-sugar production is controlled by John and Adolph Spreckels, who own the Western Sugar Co., located in San Francisco, and besides control one-half of the beet-sugar production of California. Owing to this kind of monopoly and prohibitive freight rates against Cuban cane refineries, they charge their consumers as much more as they feel they will submit to without protest, which averages about one-half cent per pound over the New York prices."

There are several misstatements of fact in the paragraph quoted above. The statement that "San Francisco prices of sugar are always as much as 40 points, and frequently as much as 50 points, above New York quotations, although all sugar entering the port of San Francisco is duty free and nearly all entering the port of New York is subject to duty" is untrue.

As stated above, for six years I gathered and published the weekly sugar quotations for a number of American cities, including New York and San Francisco. The yearly averages for these two cities, as published in Concerning Sugar, are as follows:

Year.	New York cane, granulated, per 100 pounds.	San Francisco cane, per 100 pounds.	San Francisco beet, per 100 pounds.	San Francisco cane compared with New York cane per 100 pounds.	San Francisco beet compared with New York cane per 100 pounds.
1913.....	\$4.278	\$4.645	\$4.449	\$0.367	\$0.171
1914.....	4.683	4.933	4.737	.250	.054
1915.....	5.559	5.850	5.635	.291	.076
1916.....	6.862	7.061	6.865	.199	.003
1917.....	7.663	7.461	7.314	1.202	1.349
1918.....	7.834	7.777	7.754	1.057	1.080
Average.....	6.146	6.288	6.126	.141	.021

¹ Less than New York price of imported cane refined.

From the figures above it will be seen that only once in six years did the price of cane sugar in San Francisco average as much as 36.7 cents per hundred higher than the New York cane granulated price—and for the six-year period it averaged but 14.1 cents per hundred higher than the New York price. As to the San Francisco price of domestic beet sugar, it will be seen that in no year did it average more than 17.1 cents higher than the New York price of cane, that one year it averaged 34.9 cents under New York, that for three of the six years it was below New York, and that for the six-year period it averaged but 2.1 cents higher than the New York price of granulated, made from Cuban raws. So the statement that "The San Francisco prices of sugar are always as much as 40 points and frequently as much as 50 points above New York quotations" is without foundation in fact and the charge of extortion on the part of John and Adolph Spreckels falls to the ground.

Incidentally the refiners, while accusing the Spreckels with extortion as owners of the Western Sugar Refining Co., failed to mention the fact that an even 50 per cent of the stock of that company is and has been owned for years by the American Sugar Refining Co., the Sugar Trust, which thereby is and has been a full participant in any extortion practiced.

Furthermore, the refiners say the Spreckels "control one-half of the beet-sugar production of California and because of their monopoly they charge their customers as much as they feel they will submit to without protest, which averages about half a cent per pound over the New York prices." I have already shown that for six years they averaged to charge their customers 2.1 cents per hundred less than the New York refiners charged theirs and as for their controlling one half of the domestic beet output of California, they own and operate 2 of the 11 operating beet-sugar factories in that State with one-third the slicing capacity of the State.

BEET-SUGAR PRODUCERS SHARE NO PORTION OF TARIFF BENEFITS WITH BEET GROWERS.

They say:

"During the last two years the tariff protection to the domestic beet-sugar factories has been increased 76 per cent. Have they shared any of this increase with the beet-sugar farmers? A comparison of prices paid by them to farmers for sugar beets in 1919 and 1920, under a tariff rate of 1 cent per pound, with 1921, under a tariff rate of 1.60 cents per pound, and 1922, under a tariff rate of 1.76 cents per pound, will disclose."

And again:

"The beet factories have monopolized all of the tariff subsidy and shared none with the beet farmers. As a matter of fact, according to the statistics of the Department of Agriculture, the United States average price paid beet farmers by beet factories during the whole period of the Underwood-Simmons bill, under a tariff rate of 1 cent per pound, 1914-1920, inclusive, was \$8.2857 per ton, and the average price paid in 1921, under a tariff rate of 1.60 cents per pound, was \$6.32 per ton, and in 1922, under a tariff rate of 1.76 per pound, was \$5.65 per ton, or an average of \$2.30 per ton less during the last two years."

A more misleading statement than the above scarcely could be made. In several long paragraphs which follow, the refiners express great concern for American farmers, whom they claim

secure none of the advantages of protection to domestic sugar, all of which advantages they claim are appropriated by and inure solely to the benefit of the beet-sugar manufacturers. To one who knows, in no place in their letter is the cloven hoof of the refiners more apparent than in the argument they make to support this contention.

In an endeavor to substantiate their assertion they set forth the figures covering the price of beets for the four-year period 1919 to 1922. They do not allude to the fact that, due to the war, the price paid for beets in 1919 and 1920 was a hitherto unheard-of price—\$11.74 and \$11.63, respectively—nearly double the normal price, and for 1922 they take the "preliminary" payments—so stated distinctly by the Department of Agriculture in its mimeograph report—and give these as though they were all the farmers were to get. Then, to make it appear that the farmer does not participate in the benefits of the tariff on sugar, they compare the abnormally high prices the farmers received in consequence of the war, when the duty was lower, with the partial payments the farmers had received on their 1922 crop when the duty was higher, not taking or being able to take into account the additional millions of dollars which the farmers will receive when the 1922 crop of sugar shall have been sold and the factory managements are able to figure the sums which are due them.

To illustrate: The refiners give the average price of beets in 1922 as \$5.50 per ton in Idaho and \$5.08 in Utah. Referring to the January, 1922, issue of the Reclamation Record, issued by the Department of the Interior (p. 4), we find this paragraph:

"With this bonus growers will have received \$6.25 per ton for their beets, with additional bonuses in prospect. Realizing that the bonus to the growers will be more than this amount, the company—Amalgamated Sugar Co.—declared this dividend to all the growers in Idaho and Utah, although a greater part of the sugar made from the beets is still unsold."

We know the 1922 tonnage of these two States was smaller than in 1921, but, as I have not the complete data covering it, will assume for the purpose of illustration that the tonnage was the same in both years. On this basis the refiners would have your colleagues believe that the total amount which has been or will be paid to Utah farmers for their 1,152,000 tons of beets is \$5.08 per ton, or \$5,852,160, and that all the farmers of Idaho will receive for their 380,000 tons of beets is \$5.50 per ton, or \$2,090,000, a total of \$7,942,160 to the farmers of both States, whereas, as will be seen by the quotations above, they already have been paid \$6.25 per ton, or \$9,575,000, an excess of \$1,632,840, and, as stated by the Reclamation Record, there are "additional bonuses in prospect." If the refiners' figures are as inaccurate for the balance of the States as they are for Utah, they have understated the payments to farmers by more than \$9,000,000.

As for the future, the high prices which in the late winter of 1920-21 the factories contracted to pay for beets to be delivered in the fall of that year when sugar had dropped from 7 and 8 cents to 4.7 to 5 cents per pound all but ruined most of the domestic beet-sugar producers, and to prevent a recurrence of such a calamity still more of the new beet contracts are being based directly on the price of sugar, while in other cases the farmers receive a percentage of the factory's receipts from the sale of its sugar. So the beet grower is as vitally interested in the tariff and its effect on the price of sugar as is the manufacturer himself.

As a basis upon which to predicate reliable figures, the actual figures for normal years must be taken, and if this be done we find that the farmers have fared better with beets than with almost any other crop they produce.

The domestic beet-sugar industry was created through the enactment of the Dingley tariff bill in 1897, at which time we had but a half dozen struggling little factories. The Dingley bill levied a duty of 1.68½ cents a pound on 96-degree raw sugar and development of the industry commenced immediately. In 1899 we had 30 factories in operation and the United States Department of Agriculture collected and published figures covering the whole industry, including the average price paid to farmers for beets. Unfortunately the department failed to give these figures for 1920, else I would use an average, say, for a 5-year period. Also for a number of years prior to 1911 the figures are "estimated." The World War influenced prices from 1916 on, for which reason these figures are worthless as a basis of comparison. This leaves the 5-year period 1911-1915 which can be used with safety, and as 1899 was a normal crop year, I will compare it with this 5-year period (see E-34 "Concerning Sugar").

The average price paid per ton of beets in 1899 was \$4.39 and the average yield was 5.87 tons per acre. Thus the

farmers' average return was \$25.77 per acre of beets grown. In the 5-year period 1911-1915 the average price paid the farmer for beets was \$5.63 per ton, an increase of 28.2 per cent in the price of beets, notwithstanding the fact that during the same period the price of sugar made from those beets had declined 15 per cent. But this is not the only increase secured by the farmers. As a direct result of the teaching given the farmers by highly trained and experienced agriculturists which are universally employed at heavy expense by the beet-sugar companies, they averaged to produce 10.50 tons of beets per acre during this 5-year period, an increase in tonnage of 78.8 per cent. Due to the increase in tonnage and the increase in the price per ton, the farmers' returns per acre rose from \$25.77 in 1899 to an average of \$59.12 during 1911-1915, an increase of 129.4 per cent on his return per acre.

Speaking of the influence of factory agricultural staffs in response to a Senate resolution the late Secretary of Agriculture Wilson told you (see S. Doc. No. 22, 61st Cong., 1st sess.):

"Every sugar factory management in this country must necessarily call to its aid a thoroughly scientific and practical agriculturist, and under him a corps of assistants equipped and conversant not only with cultivating sugar beets but familiar with methods of culture, fertilization, drainage, rotation, and all the necessary knowledge to produce successfully all kinds of crops indigenous to the particular locality. This agriculturist and his assistants are constantly traveling over the sugar-beet-producing district of this particular factory advising farmers particularly in the growth of sugar beets and generally in the production of all other crops. They are as much interested, incidentally, in the handling of the lands producing other crops as they are particularly the one in charge. It is these other lands that will produce sugar beets next year."

"A sugar-factory district is an 'extension course' in agriculture to every farmer in the district, whether he be growing sugar beets or not. It could not be conceived, with such influences constantly in operation, that the sugar industry is not exerting a potent influence most favorable in production of all crops."

As a direct result of this training and the introduction of sugar beets in the rotation, the farmers' average yields of all other crops grown in the rotation have increased as follows: Corn, 29.81 per cent; wheat, 49.87 per cent; oats, 50.49 per cent; barley, 56.88 per cent; and other crops in proportion. Inasmuch as the average farmer grows three to five times the acreage to these other crops that he does to beets, the money he receives from the sale of this excess amounts to more than it costs him to produce the beets.

With improved cultural methods, brought about by the advice given farmers by the factories' corps of skilled agriculturists, has come an improvement in both sugar content and purity of the beets, and this, together with improved factory equipment, has resulted in enabling the factories to extract 58 pounds more sugar to a ton of beets than they did in 1899. It is because of this that the factories have been enabled to pay a higher price per ton.

Compare, if you will, the increase of 129.4 per cent in cash yield per acre on beets with the increase for same period in the cash yield per acre from any other important crop the farmer grows and you will find no such phenomenal increase in the farmers' returns per acre. And this notwithstanding the fact that in such cases as wheat flour and corn meal, where, as with beets, the farmers' products are worked over by an intermediary before they reach the consumer, the consumer is paying higher and higher prices for these other finished products while paying lower and lower prices for sugar. From 1899 to 1913 the price of sugar declined 15 per cent, while the price of wheat flour increased 27 per cent and the price of corn meal 51 per cent.

BEET FACTORIES MISLEAD THE FARMER.

It is surprising how much the refiners would have your colleagues believe they know about the intricacies of the variable beet contracts made in 17 different States when compared with how little they have been shown to know, or rather, to state, concerning their own industry. It also is surprising to note the flood of crocodile tears which they shed over the beet farmers and American consumers in general. They say:

"The beet factories mislead the beet farmers by the form of contract they induced them to accept in 1921 and 1922. In general, it was a minimum of \$5 per ton for beets averaging 15 per cent content of sugar, with an increase of \$1 per ton for each 1 cent per pound that the factories averaged for the sale of its refined product for these years extending from October to October. The profit of the factory for each 1 cent per pound increase averaged about \$2.70 per ton of beets, while they paid the farmer \$1 of this amount, and the whole amount

was extorted from the consumers by reason of this increase. The factories, therefore, do not stand to lose and the consumer is the victim, in any event, but as the prices of sugar happened to be quite low in 1921 and the greater part of 1922, the farmers did not benefit by this form of contract and actually raised their crops at a loss."

The refiners have experienced no little difficulty in deceiving your 96 Members, and to credit the beet-sugar producers with ability to deceive some eighty-five to ninety thousand American sugar-beet farmers of more than average intelligence is to credit them with a very superior ability indeed.

That American sugar-beet farmers, in common with domestic and foreign producers of sugar, were disappointed in their decreased returns brought about by the breaking of the 24-cent Cuban pool created by American producers of sugar in Cuba, goes without saying. The rapacity of these Cuban producers all but wrecked everyone in the world who had anything to do with sugar. Their confidence in their ability to bleed us might be likened to the Kaiser's confidence that he could whip the world.

They say:

"The profit of the factory for each 1 cent per pound increase averaged about \$2.70 per ton of beets, while they paid the farmer \$1 of this amount, and the whole amount was extorted from the consumers by reason of this increase."

The statement is worse than ridiculous. The average United States extraction of sugar from beets in 1921-22 was 275.2 pounds; thus an increase of 1 cent per pound in the price would amount to \$2.75 on a ton of beets; and of this amount the refiners say \$2.70 was "profit," \$1 of which went to the farmers. On this basis it costs our beet factories only 5 cents to transport a ton of beets from farm to factory, unload them, run them through the factory, put the 275 pounds of resultant sugar in sacks, and transport it to destination. If the refiners have any technical man who can accomplish such results, he can name his own salary. To show the utter absurdity and maliciousness of the refiners' statement, the sacks alone cost about ten times that amount.

You can not fool the American farmer or compel him to grow beets if he chooses to devote his fields to other crops. In Cuba, where they harvest from 15 to as high as 50 crops from the same roots without replanting, cane is an agricultural juggernaut which crushes out all other forms of agriculture. You can not compel an American farmer to grow beets for his board and clothes, or retain an American laborer, if you give him only "grub checks," but in Cuba, where clothes are not needed, as anyone knows who has seen innumerable stark-naked children playing in the streets of the island, when the crash came and a moratorium for the island was proclaimed, press dispatches stated that mill owners announced that cash payments had ceased for the present and they would pay only in "store checks," thus saving themselves from bankruptcy and bringing about a speedy recovery, at the expense of the Cuban farmer and laborer.

HAWAIIAN SUGAR COMPANIES "CAPITALIZING THE TARIFF."

In an effort to discredit the sugar schedule of the Fordney-McCumber tariff bill the refiners give a list of Hawaiian sugar companies and set forth with each the regular, special, or stock dividends which they allege have been paid since September 22, the date of the enactment of the new tariff bill.

They say: "The following special and increased dividends have been paid by various sugar companies in Hawaii since the passage of the tariff bill."

And after presenting their list they add: "Thus, through special dividends and the ingenious method of stock dividends, they are capitalizing the tariff."

Again the refiners would mislead my colleagues regarding those usually prosperous companies, nearly all of which made heavy losses in 1921. During the latter part of 1922 sugar prices were good, and, it appearing that prices were going to remain firm, several of these companies declared small dividends, paying them, not from current earnings, but from their surpluses and working capital; this is what the refiners designate as "capitalizing the tariff."

The annual reports of these Hawaiian sugar companies for 1921, as submitted to the Honolulu Stock and Bank Exchange, show how misleading are the refiners.

The refiners name the Ewa Plantation Co. as having paid several cash dividends during the last three months of 1922. Their annual report shows that they lost no less than \$1,977,938 on their 1921 campaign. Unlike the subsidiary Cuban corporations, which the refiners own and which pay no taxes into our Treasury, when these Hawaiian companies make money they pay over a portion of it in income and excess-profits taxes. As indicating the decreased prosperity of this company, their

December 31, 1920, annual report carried under assets, "reserve for taxes, \$2,500,000," and in their December, 1921, report their "reserve for taxes" was only \$500,000. Yet these people are represented as "capitalizing the tariff."

Another Hawaiian sugar company which is set forth by the refiners as "capitalizing the tariff" is the Maui Agricultural Co., which is listed by the refiners as having resumed dividends. I am advised by credible authority that this company has done nothing of the sort, but whether they have or not their annual statement shows their losses in 1921 amounted to \$711,339.

I will not take up more time in analyzing these various companies which the refiners would have your colleagues believe are "capitalizing the tariff," but will set forth the list with 1921 losses, as shown by the annual reports to the Honolulu Stock and Bond Exchange:

Companies:	Losses in 1921.
Ewa Plantation Co.	\$1,977,938
Hawaiian Agricultural Co.	179,181
Hawaiian Sugar Co.	37,305
Honokaa Sugar Co.	228,482
Honolulu Sugar Co.	17,150
Hutchinson Sugar Plantation Co.	68,776
Kahuku Plantation Co.	326,864
Koloa Sugar Co.	84,279
Maui Agricultural Co.	711,339
McBryde Sugar Co. (Ltd.)	296,565
Oahu Sugar Co. (Ltd.)	87,923
Olua Sugar Co. (Ltd.)	378,145
Onomea Sugar Co.	167,164
Paaubua Sugar Plantation Co.	144,625
Pacific Sugar Mill	168,778
Pepeekeo Sugar Co.	5,923
Pioneer Mill Co. (Ltd.)	198,991
Waialua Agricultural Co. (Ltd.)	1,873,407
Walluku Sugar Co.	25,432
Losses	8,942,299

Thus the scales fall from another of the refiners' many attempts to mislead your colleagues.

UNITED STATES BEET SUGAR COMPANIES CAPITALIZING THE TARIFF.

Apparently the refiners found but one newspaper notice regarding beet sugar companies which they could use in their effort to show that this industry was "capitalizing the tariff" and in their letter to your colleague, they reproduce it in full as follows:

[From Facts About Sugar, issue of December 30, 1922, page 542.]

WEST BAY CITY DIVIDENDS (BEET SUGAR).

"BAY CITY, MICH., December 25.—A stock dividend of 400 per cent has been declared by the West Bay City Sugar Co., increasing the authorized capitalization from \$200,000 to \$1,000,000.

"This is the first additional stock issue made since the company was organized 25 years ago, at which time a bond issue was put out to meet the cost of plant construction in excess of the \$200,000 provided for. Since that time the bonds have been retired and several hundred thousand dollars have been spent in improvement, all coming out of earnings, while some large dividends have also been paid. The new stock issue is being made to transfer assets representing plant investment, and carried as surplus, to the stock account.

"The stock of the company is practically all held by the president, M. J. Bialy, and members of his family, the heirs of the late Charles J. Smith, and the heirs of the late John M. Kelton, all three of whom are among the original incorporators.

"This is another example of capitalizing the tariff."

Capitalizing the tariff indeed. Mr. M. J. Bialy, president of the West Bay City Sugar Co., has this to say about the matter:

"I have your letter of January 30, covering copy of letter from the Cuban interests, which I have noted with a great deal of interest particularly with its reference to the West Bay City Sugar Co. and as to the matter of the increase of capital stock referred to from newspaper publication, which is purely a matter of the reporter's imagination and short-sightedness as to actual conditions.

"This company was organized in 1899 with a capital stock of \$200,000. Subsequent to the organization, we covered the plant by mortgage for \$200,000 and in addition to this for further necessary capital the individual stockholders provided funds to carry on the affairs of the company, which we did and carried it along until 1910 before a dividend was paid, reserving all earnings for the purpose of creating surplus for business purposes."

So it seems that after putting up \$200,000 for stock and \$200,000 for bonds and additional amounts, say perhaps another \$100,000 for carrying on the company's operations, the stock-

* Profit, \$73,027.

holders of this company received no dividends whatever for 11 years. Mr. Bialy says:

"During the year 1921 our returns to the customs department of the Government showed a loss of \$239,000, and the present season, 1922, has been at a very small, if any, profit."

And now, after having received no returns for years on their half million-dollar investment and recently having met with tremendous losses, the stockholders of this company must be content with a stock dividend in lieu of cash; and the refiners, in their endeavor to prejudice your colleague against the domestic industry, quote the newspaper notice and proclaim that "this is another example of capitalizing the tariff."

In your speech of August 7 I gave the figures of four American beet-sugar companies which in 1921 lost over \$13,500,000, and showed how they all were practically bankrupt and had to borrow \$10,000,000 from the War Finance Corporation in order to tide them over. The four companies you named as having lost \$13,500,000 were among the very largest and lowest-cost producing companies in the United States, and of course the losses of the smaller but higher-cost producing companies were much greater in proportion; yet the refiners would have your colleagues believe that the industry is a highly prosperous one and is "capitalizing the tariff."

REDUCE THE TARIFF TO ABOLISH CHILD LABOR IN THE BEET FIELDS.

In its efforts to prejudice your colleagues against a tariff rate which will preserve the domestic beet-sugar industry, the refiners quote an article from the American Child, published in New York, in which a fling is taken at child labor in the beet fields. They say:

[From the American Child, published by the National Child Labor Committee, 105 East Twenty-second Street, New York, issue of December, 1922.]

NOTES FROM OUR INVESTIGATIONS.

"In Utah we found that some rural schools were closed on account of beet-field needs. Think of it! In some rich beet-field districts through which the Denver & Rio Grande passed, that was the situation.

"Child labor conditions in Finney County (Kans.) beet-sugar districts are more deplorable than those in any other section of the State, according to Miss Alice K. McFarland, head of the welfare division of the industrial court.

"It is a common thing to see little tots with long sharp knives cutting tops from beets. In many cases they work from 6 o'clock in the morning until nearly dark with only a short stop for lunch." Topeka (Kans.) Capitol, October 26, 1922.

"Yet Senator Smoot testified before the Senate Finance Committee that the opportunities offered by the beet-sugar industry of Utah to the child for work in the beet fields was a perfect godsend."

All rational human beings love children, but there is an honest difference of opinion regarding their bringing up. Some believe it is better for them to work in the open fields of the country, while others believe it better for them to idle away their vacation time in our crowded streets and alleys.

A year or so ago I had occasion to look into a lurid report made concerning child labor in Colorado, and I quote from a report which I received made under date of November 1, 1921:

"I do not know how serious these 'postural deformities and malpositions' may be. I do know that the beet workers' children in northern Colorado are about the healthiest specimens extant.

"Miss Mary Pritchard, Red Cross nurse for Weld County, Colo., gave figures which refuted the statements in the children's bureau survey. She declared that the Government investigators had their headquarters in her office, and that she was very familiar with their work in all its phases.

"Miss Pritchard states that she has examined over 12,000 children in Weld County, and has made comparative studies between beet workers and nonbeet workers, and that her positive knowledge of the situation does not justify in any way the conclusions arrived at in the survey made by the children's bureau agents.

"Miss Pritchard called attention to the failure of the Government agents to make comparative tests between beet workers and nonbeet workers. She declared that the Government agents have no basis for claiming that beet work per se is injurious to the children's health. The Government agents obtained no facts on the effect of malnutrition, heredity, condition of eyes, condition of teeth, and other factors that not only retard the health of the children but also retard their work in schools."

A small proportion of the work in beet fields is performed by children, but it is important not from the viewpoint of the sugar industry but from the viewpoint of the fathers and mothers of these children, especially the country children. Many of the best and most prosperous citizens of our western

sugar-beet territory came there as poor immigrants, but with large families. They first rented small tracts of land, and largely because of the aid given by their children in thinning beets they accumulated money, then purchased small farms, and finally the largest and best farms in their respective communities, and later purchased other near-by farms for their grown children. Abolish the earning power of their children and their prosperity and consequent ability to educate those selfsame children would be lessened. People who live among them generally contend that it is to the advantage of the children, of their parents, and to the community at large that the children do this seasonal work, while theorists in our large eastern centers of population who concern themselves with the uplift of children are somewhat divided on the subject.

Their labor is not necessary to the well-being of the sugar industry, and it is not the sugar industry but their parents who are responsible for their working. I presume that if it ever should become apparent to the majority of the people of any of our States that working in the beet fields causes "postural deformities, malpositions," and other ailments which hysterical theorists rave over the voters will direct their State legislatures what to do in the premises. As yet the near-by and most interested observers do not seem to have imbibed any of the metropolitan hysteria on the subject.

UNITED STATES SUGAR ASSOCIATION BRIEF FOR THE AMERICAN SUGAR REFINING CO.

It, indeed, is too bad that some careless Baltimore newspaper reporter got his wires crossed and mixed up the American Sugar Refining Co. with a report regarding a 900 per cent stock dividend declared by an oil company. It is very thoughtful of the United States Sugar Association to place your colleague "in a position to correct it."

They say:

"The Indianapolis News stated that the Pennsylvania Sugar Refining Co. had paid a stock dividend of 900 per cent, and a Baltimore paper referred to the American Sugar Refining Co. as having paid a stock dividend of 900 per cent. Both of these statements are erroneous. It was the Atlantic Refining Co., of Philadelphia, the largest producer of lubricating oils since 1874, a subsidiary of the Standard Oil Co., that declared a 900 per cent stock dividend in October, and these papers, observing the word 'refining,' jumped to the conclusion that the concern refined sugar instead of oil. There is no sugar refinery in the United States called the Atlantic Refining Co. The Pennsylvania Sugar Co., of Philadelphia, has declared no stock dividend and pays dividends at the rate of 8 per cent per annum, and the American Sugar Refining Co. has not only declared no stock dividend but has suspended dividends on its \$45,000,000 worth of common stock for the past three years on account of the enormous losses sustained in 1920 and 1921. As the above impression may prevail among many Members of the Senate and House, I wish to place you in a position to correct it."

Apparently the United States Sugar Association carries a brief for the American Sugar Refining Co.—the Sugar Trust—which ought to be and probably is their heaviest financial supporter. This is only natural, as the Sugar Trust has three reasons for desiring a lower import duty on sugar while most of the refiners have only two. In considering these reasons it must be borne in mind that all domestic beet sugar is produced in its finished state ready for the table, and thus it pays no tribute to the seaboard refiners, whereas all imports from Cuba consist of raw sugar, and every ton of it yields tribute to one or the other of the seaboard refineries.

In the first place the Sugar Trust and other seaboard refiners do not wish to see the domestic beet-sugar industry expanded, because each additional ton of sugar produced at home means one less ton to be imported and pay tribute to a seaboard refinery for laundering. In this connection it should be borne in mind that a sugar refinery produces nothing—it is just a great laundry which cleanses a raw product produced by foreign labor in foreign lands, and as sugar comes wholly from the atmosphere, it is simply the rain, the wind, and the sunshine which sweep over foreign fields. From the sworn testimony of one of the leading New York refiners some years ago it was learned that for refining—laundering—a ton of raw sugar in America there accrued to American industry in labor, office help, bone black, and all other supplies just \$6.72, whereas with beets then at \$4.50 per ton, in producing a ton of sugar from American-grown beets, there accrued to American industry \$82.13. The difference now is still greater, but even at this rate, on our last year's consumption of 5,700,000 tons of sugar, this difference to American industry as between refining imported sugar and producing our sugar from American fields, farmed by Americans and sliced in American factories operated by American labor, is the difference between \$38,304,000 and \$468,141,000.

In times of depression, when our farmers are getting a low price for their products and laboring men, mechanics, and technical men are seeking work, the expenditure of this extra \$430,000,000 a year at home instead of sending it to foreign countries would help to keep the wolf away from the doors of a goodly number of people.

In the second place, the Sugar Trust has purchased a vast acreage of cane land in Cuba, where it has erected several of the largest raw-sugar mills in the world in order to supply its refineries with raw sugar at first cost. Its Cuban investments in great areas of both undeveloped and developed cane land and in mills is reputed to amount to \$50,000,000.

In the third place, at a time when the elder Havemeyer thought he might be unable to carry through the Cuban reciprocity treaty and feared that the then rapidly developing domestic beet-sugar industry might expand so as to produce our sugar at home and thus put his refineries out of commission, he sent his emissaries into the beet districts, where they purchased a third interest for him and a third interest for the Sugar Trust in a number of our largest beet-sugar companies, with the purpose of controlling the sugar business of the United States whichever way the congressional cat might jump. With three exceptions these interests were disposed of after he secured the adoption of the Cuban reciprocity treaty; the outstanding exception is a beet-sugar company which operates a string of beet-sugar factories in northern Colorado and western Nebraska, where it produces sugar at less cost than it is produced for elsewhere in the United States.

It naturally might be supposed that if the officials of this company in which the trust owns a third and Mr. Havemeyer, jr., owns another third would, if free to act for the company's welfare, work in favor of an increased duty on sugar. But both the trust and Mr. Havemeyer, jr., are heavily interested in Cuba, and when it came to consideration of tariff rates last year officers of this company were among the most active workers lined up with the refiners not only in opposition to any increase but in favor of a decrease in the rate of duty. One explanation vouchsafed was the dog-in-the-manger position that if the tariff on sugar was increased it might result in new factories being erected in "their territory" by new capital and by competitive bidding raise the farmers' price of beets.

As to the United States Sugar Association's solicitude in not wanting it to appear that the Sugar Trust recently had paid a stock dividend, it might be stated that the late Henry O. Havemeyer took the bull by the horns at the outset and not only anticipated the Atlantic Refining Co. by several years but in amount. He formed the Sugar Trust by absorbing some 18 independent practically bankrupt refining companies whose total combined capital stock amounted to \$6,690,000 par value and immediately issued \$50,000,000 of new trust stock, or about 750 per cent increase at the outset. Later they increased it to \$75,000,000 and then to \$90,000,000, the present capitalization, although they have erected but two new refineries since the trust was formed.

During the first 10 years of the trusts' existence the owners of \$6,690,000 worth of stock in 18 practically bankrupt refineries received no less than \$63,281,250 in cash dividends, or at the rate of more than 100 per cent a year on their theretofore worthless stock which they turned into the trust. And although they since have watered it up to \$90,000,000, except for one short interval they have annually paid \$6,300,000 or more in dividends, or approximately 100 per cent a year on the original investment.

In the light of the above it scarcely seems worth while for the United States Sugar Association to shed tears over the deplorable fact that some careless newspaper reporter inadvertently got the Sugar Trust mixed up with his story about the Atlantic Refining Co.'s 900 per cent stock dividend payment. Having had this worrisome experience, it seems strange that the refiners in selecting a name under which to conceal their identity in carrying on their Cuban propaganda work should have adopted the name of a duly incorporated organization which for years has been openly working for the directly opposite result.

There is no better informed body of men concerning the universal financial chaos which existed in the sugar industry during the period of 1920 and 1921 than those engaged in the refining business, and yet in their letter they endeavor to make your colleagues believe that the domestic beet and Hawaiian sugar industries are most prosperous and are "capitalizing the tariff." The unfairness of their position is shown when they rush to the defense of the refiners with the following:

"The Pennsylvania Sugar Co., of Philadelphia, has declared no stock dividend and pays dividends at the rate of 8 per cent

per annum, and the American Sugar Refining Co. has not only declared no stock dividend but has suspended dividends on its \$45,000,000 worth of common stock for the past three years on account of the enormous losses sustained in 1920 and 1921."

Regarding the mix-up on the declaration of stock dividends, which some reporter erroneously attributed to the Sugar Trust when it should have been credited to an oil-refining company, the refiners hand the following naïve suggestion to my colleague:

"As the above impression may prevail among many Members of the Senate and House, wish to place you in a position to correct it."

As though they thought your colleague would dirty his hands by rushing to their rescue and explaining how this snow-white dove, which has pyramided \$90,000,000 of capitalization on an original investment of \$6,690,000, was being misrepresented. Their presumption is almost pathetic.

PER CAPITA COST OF THE TARIFF ON SUGAR.

Then comes the bewhiskered appeal to cupidity which the refiners wore threadbare in one of their publicity campaigns several years ago when they represented themselves as a "Committee of Wholesale Grocers," though, as afterwards disclosed, no wholesale grocer had anything to do with it.

They say:

"You will observe that our annual consumption now has reached 103.18 pounds per capita, and that the tariff on sugar, therefore, costs every man, woman, and child in the United States \$1.82 per annum."

Again I suggest the headline "Important, if true." These figures are arrived at by a very simple calculation. If our per capita consumption is 103.18 pounds and the duty is 1.764 cents per pound, just multiply 103.18 by 1.764, and there you have it in a jiffy, \$1.82. But this calculation fails to take several important matters into consideration. You showed in your speech (CONGRESSIONAL RECORD, p. 11058, Aug. 8, 1922) that when the sugar duty was increased the foreign producers of sugar and the American refiners absorbed 53.3 per cent of the increase in the lowered-in-bond price of raw sugar and the lessening of the refiners' margin between raw and refined. Deducting 53.3 per cent from \$1.82, we have left 85 cents per capita, which represents the maximum amount the duty of \$1.764 per hundred costs the consumer who purchases 103.18 pounds of sugar. But the consumer does not purchase 103.18 pounds of sugar, as sugar. Much of our sugar goes into manufactured products, such as condensed milk, confectionery, jams, jellies, preserves, canned goods, chewing gum, and so forth, the prices of which are not governed or even affected by the price of their sugar content. Surely no one would contend that a pound box of candy which sells at 75 cents would sell for 74 cents if sugar were 1 cent cheaper, or at 76 cents if it were 1 cent higher, and so with dozens of other commodities which it is generally estimated absorb 55 to 65 per cent of all the sugar we consume.

The United States Department of Labor gathered the data from 11,900 families consisting of 58,310 persons, concerning the amount of foodstuffs they purchased and consumed during the last half of 1918 and the first half of 1919 (see Department Labor Review for May, 1922), during which time our total consumption of sugar in both manufactures and family purchases amounted to 79.39 pounds per annum per capita. The department found that these 58,310 people consumed an average of 146 pounds of sugar per family, or 29.79 pounds per person. Based on these figures, 62½ per cent of our total sugar consumption of 79.39 pounds per capita in 1918-19 went into other products, the prices of which were not affected by the price of their sugar content, and 37½ per cent of it was purchased by housewives as sugar. And so, after first cutting the refiners' alleged extra cost per capita by reason of the tariff from \$1.82 to 85 cents by reason of a 53.3 per cent absorption of the duty by importers and refiners, we have to eliminate 62½ per cent of the 85 cents because of the sugar that went into manufactured products, and thus find that the total duty on sugar amounted to only 30 cents per capita.

We are all taxpayers and in our income and other Government taxes must provide such amount for the operation of the Government as is not collected from import duties. From January 1 to September 22, 1922, when the new tariff bill went into effect, we had collected \$92,911,404 revenue on imports of sugar, and if the same ratio be maintained for the balance of the year the revenues from sugar imports in 1922 will amount to \$117,926,000, or \$1.07 per capita for a population of 110,000,000, thus saving each person in taxation more than three times the extra amount his sugar cost him by reason of the duty.

THE REFINERS' PLEA TO INDUCE A UNITED STATES SENATOR TO SPREAD
THEIR MISSTATEMENTS.

The sinuous trail of insincerity and equivocation winds its slimy way through every sentence of the refiners' letter, and after splotching each page it closes as follows:

"Trusting the above will be found of value to you as an explanation of some of the effects of the present high tariff on sugar, and that you may find occasion to make use of it whenever the opportunity is presented, I beg to remain."

I have quoted almost every paragraph of this remarkable effusion, and if your colleagues can find in it any honest attempt at an explanation of the effects of "the present high tariff on sugar," their perception is superior to mine. So far as I am able to perceive, the only effect of it which is disclosed by their letter has been to cause them to sit about a round table and prepare as many misstatements as could be crowded onto seven pages of closely typewritten matter.

MEMBERSHIP OF THE UNITED STATES SUGAR ASSOCIATION.

First, a word in order to identify the United States Sugar Association, and thereby discover its motive in laying before my colleagues such a lengthy and unreliable epistle. The United States Sugar Association is composed of American sugar refiners and producers of raw sugar in Cuba, which island largely supplies their refineries with raw material.

This letter is a continuation of the same old Cuban propaganda put out anonymously 20 years ago by the Sugar Trust in its nation-wide propaganda to secure a reduction of duty on Cuban sugar by reciprocity treaty; later by the mythical so-called "Committee of Wholesale Grocers" (to which, as later was admitted under oath, no grocer ever contributed a cent), the "American Committee on Cuban Emergency," "American Producers of Sugar in Cuba," etc. There have been numerous changes in name but not in purpose, personnel, or in the utter disregard of truth displayed in their statements.

Masquerading under various names, these refining exploiters of Cuba have shown great ingenuity in their efforts to fool Congress and to fool the American people. Wherever it has suited their purpose the truth has been carefully avoided and their statements have been full of maliciousness. Scarcely a fair or honest sentence have they put forth in 20 years, and where they have not stated a positive untruth they have endeavored to accomplish their purpose by indirection and innuendo. This seven-page letter is no exception to their invariable rule; on the contrary, it is one of their numerous masterpieces.

THE UNITED STATES SUGAR ASSOCIATION.

Knowing the personnel of the United States Sugar Association and the object of their propaganda we are in better position to weigh the methods the refiners have adopted to secure their end.

The seven-page typewritten letter bears the printed heading "United States Sugar Association," yet every line of it reveals antagonism to sugar produced in the United States. The very name these seaboard refiners now masquerade under could have been chosen for but one purpose. In an endeavor to tear down an important domestic industry they have stolen the name of a widely known and duly incorporated organization which for many years has been actively engaged in trying to build up and expand that selfsame industry. There is but a slight difference between "United States Sugar Manufacturers Association" and "United States Sugar Association."

Were the headquarters of both organizations located in the same city there certainly would be confusion in the delivery of mail and telegrams, and, except to mislead, why does a body of men working against the interests of the United States endeavor to make it appear that they are a patriotic organization working in the interest of the United States? And why, even then, do they appropriate the name of a well-known domestic organization, working in the interest of American industry? Why call themselves the "United States" Sugar Association—why not "American," or "Federal," or "Domestic," or "National"; or if not endeavoring to deceive, why not "Cuban Sugar Association," or "United States Sugar Refiners Association," and be as open and aboveboard as is the "United States Sugar Manufacturers Association"? I leave you to surmise.

THE ELUSIVE REFINERS.

The letter is signed by one M. Doran as "assistant secretary" of the United States Sugar Association. Why the unknown "M. Doran"? Why not Mr. Henry A. Rubino, who appeared before your committee, is known to many Members of the Senate, and is the active head of the United States Sugar Association? Or why not some of the refining heads who so frequently are here to present their pleas and are personally

known by you and by many of your colleagues? Apparently the seaboard refiners who with their associates own the bulk of the Cuban sugar industry and who created and support the United States Sugar Association realize full well the untruthfulness and unfairness of the contents of the letter, but after preparing it did not have the courage to attach their signatures to it, hence put it out over the signature of some one we never heard of before. Why camouflage their identity under a misleading name and then attach a signature which is about as illuminating as though they had signed it "John Doe"?

THE REFINERS AND THEIR CUBAN HOLDINGS.

These sugar refiners who now pose as the United States Sugar Association are rated as among the brightest and most astute to be found in any industry in our great metropolitan seaboard cities where their business lives have been devoted to the refining of imported sugar. They accumulated great fortunes in the refining business, and 20 years ago sought and secured legislation giving Cuba a preferential rate of duty, after which they began investing heavily in Cuban lands, on which they erected great numbers of the most efficient raw sugar mills in the world, and they produce the bulk of the Cuban crop of four and a half million tons.

According to their own statements, their vast Cuban holdings alone are valued at no less than \$1,000,000,000. That these men understand the sugar business from A to Z and do not hand out such a mass of misinformation through inadvertence or ignorance goes without saying. Barring an occasional error, which is liable to creep into the statements of even the best informed, any one of them is perfectly capable of presenting almost offhand the true conditions which prevail in the sugar industry. And so, when a body of such experienced, well-informed sugar men prepare and send to United States Senators a seven-page closely type-written letter regarding sugar conditions, and practically every sentence and phrase of that letter is found to contain either an implied or actual misstatement of fact, there is only one conclusion which can be drawn.

SUGAR-PRODUCING POSSIBILITIES OF CUBA AND THE UNITED STATES.

The refiners rightly contend that Cuba is the cheapest sugar-producing country in the world, and if we so lower the duty as to render our domestic producers unable to pay such price for beets as will induce farmers to grow them Cuba will supply us with all the sugar we consume. We know this is true, for according to their testimony the refiners alone with their affiliated companies own sufficient cane land in Cuba to produce 8,188,000 tons of sugar a year, and, together with independent companies, American holdings in Cuba are sufficient to produce a crop of 10,970,000 tons annually. That Cuba could and would produce the sugar of the world if she could find markets for it is well known to all who have visited the island.

On the other hand, the late Secretary of Agriculture, Wilson, told us in Senate Document No. 22, Sixty-first Congress, first session, that the United States has sufficient beet-sugar area on which to produce the sugar of the world. Hence the conflict for possession of the greatest sugar market in the world, and the size of the United States import duty on sugar is the one determining factor that will decide the struggle.

PRODUCTS OF CUBA.

Cuba produces the best tobacco in the world, excellent coffee, cocoa, unexcelled tropical fruits, and many other articles which we import in enormous quantities from other countries, but the production of these articles does not readily lend itself to control by vast blocks of capital. They usually are produced by individuals rather than by corporations. With the exploitation of the Cuban sugar industry by American capital the production of all other crops has been relegated to the background, while the production of sugar has jumped from less than 350,000 tons at the close of the Spanish-American War to 2,500,000 tons the year before the World War and 4,400,000 tons in 1920-21, practically all of which must be exported and find a market in foreign countries.

MARKETS.

The object of all Cuban sugar propaganda is markets. Markets not only for their present production but for an increased production. One by one the great countries of the world have slipped off the shackles of the Tropics and have become independent of them for their sugar supply through producing it at home, Japan being the last to enter the list. Only Great Britain and the United States continue to purchase large quantities of tropical sugar, and the British market seems destined to be closed to the Tropics. The inability of Great Britain to secure from overseas her customary million and a half tons of sugar a year during the World War has convinced her free-trade statesmen of the desirability of the prime im-

portance of a nation producing its sugar at home. As a consequence, Britain has decided to build up a great national sugar industry and is giving her two beet-sugar factories already in operation a tariff protection of 5½ cents per pound, the highest rate of sugar protection in the world. If Britain succeeds in her efforts, the United States will be the only great market in the world for export tropical sugar.

Last year we consumed 5,700,000 tons of sugar, or 28 per cent of all the sugar produced in the world. Of this amount 2,424,600 tons was produced at home and in our insular possessions, and 3,237,449 tons came from Cuba at a 20 per cent tariff preferential. The balance of the Cuban crop was compelled to find a market elsewhere and compete with other tropical sugar without any tariff favors.

Producers of sugar in Cuba see the possibility of a vanishing British market, due to home production. They see that should the United States beet-sugar industry grow and be able to supply United States consumption, Cuba must turn from sugar to the production of crops which do not lend themselves to corporate capital. Hence they first wish to see the United States duty on sugar so reduced as to prevent any further expansion of the domestic sugar industry, and if possible they want to see the duty so lowered as to ruin the domestic industry and thus open up to them an additional tariff-favored market for an extra two and one-half million tons of sugar. To gain such a vast market in which they could control prices at will, they will go to any length. The prices they would exact can be judged from our experience of a year and a half ago, when we were virtually out of sugar and producers in Cuba, with between 600,000 and 700,000 tons of raw sugar piled in their warehouses, formed a pool and pegged the price of raw sugar at 24 cents per pound, or twice the price at which refined sugar then was selling for in the United States. In consequence of the high prices, our foreign sugar bills in 1920 amounted to the enormous sum of \$970,000,000.

If the United States tariff on sugar could be so reduced as to destroy our domestic sugar industry, the financial benefits which would accrue to the seaboard refiners and other Americans, whose Cuban investments already amount to over \$1,000,000,000, would rival anything of the kind the world has ever seen. So much for the motive and the stakes for which the refiners have been playing for 20 years.

Mr. BROOKHART. Mr. President, will the Senator yield for a question?

Mr. SMOOT. I yield.

Mr. BROOKHART. I would like to ask the Senator if there is any advantage whatever to the producers of sugar, either in the United States or Cuba, by virtue of this big rise in price?

Mr. SMOOT. I will say to the Senator that the refiners control the great bulk of sugar and they are trying to have a smoke screen made so they can blind the American people by saying that it is the tariff that is responsible for the increase. When they were selling that sugar at \$4.75 a hundred the tariff was \$1.60 a hundred, and under the McCumber law the tariff rate was increased 16 cents a hundred.

Mr. BROOKHART. Does the Senator have definite information as to what is the real cause of the big advance?

Mr. SMOOT. I have not the time now, but I could go back into the history of the sales of sugar by these selfsame refiners and relate the history of it to the Senate, and Senators would then know what the cause is. They want to make all the money out of the Cuban sugar which they produce that it is possible for them to do. We know that there is enough sugar produced in the world to feed the world for the coming year.

Mr. BROOKHART. Are the producers a part of the combination that is raising the price? Are the producers in any way the cause of the price being raised at this time?

Mr. SMOOT. The Cuban producers are, but there are also the refiners.

Mr. BROOKHART. Who are the Cuban producers?

Mr. SMOOT. The refiners, principally, in New York and Pennsylvania.

Mr. President, perhaps at this point it would be well for me to give the names of the members of the United States Sugar Association, who they are, and let us see why this propaganda is being spread broadcast all over the United States. I have the list of the members of the United States Sugar Association. The following are a few, but I will insert the names of all of them:

E. Atkins & Co., by Frank C. Lowry, 111 Wall Street, New York. Who are they? The Pennsylvania Sugar Refining Co.

The Atlantic Fruit Co., by Allen H. Richardson, vice president, 17 Battery Place, New York, of the National Sugar Refining Co.

Bernebe Sanchez Adan, of Cuba. Then follow a lot of Cuban names, all in nearly every case connected with refiners of sugar. Caracas Sugar Co., Wall Street, of the Pennsylvania Refining Co.

Cuban-American Sugar Co., by Mr. Willis, the vice president, 129 Front Street, of the National Sugar Refining Co.

I ask permission to put in the RECORD the list of names.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LIST OF MEMBERS OF THE UNITED STATES SUGAR ASSOCIATION.

E. Atkins & Co., 111 Wall Street, New York, by Frank C. Lowry, Pennsylvania Refining Co.
Atlantic Fruit Co., 17 Battery Place, New York, by Allen H. Richardson, vice president, National Sugar Refining Co.
Bernebe Sanchez Adan, Central Senado, Camaguey Province, Cuba.
Caracas Sugar Co., 111 Wall Street, New York, Pennsylvania Sugar Refining Co.
Central Cuba Sugar Co., 42 Broadway, New York, by J. M. Tarafa, president.
Compania Azucarera Andres Gomez Mena, 79 Wall Street, New York, by G. E. Warner, Warner Sugar Refining Co.
Compania Azucarera Ella, 112 Wall Street, New York, by Jose B. Rionda, vice president.
Compania Azucarera San Vincente, 112 Wall Street, New York, by Horatio B. Young, assistant secretary.
The Coca Cola Co., Atlanta, Ga., by Charles H. Candler, president.
Cuban-American Sugar Co., 129 Front Street, New York, by H. W. Wilmot, vice president, National Sugar Refining Co.
Cuba Cane Sugar Corporation, 123 Front Street, New York, by B. A. Lyman, treasurer, McCahan Sugar Refining & Molasses Co.
The Cuban Dominican Sugar Co., 129 Front Street, New York, by Thomas A. Howell, president.
Czarnikow-Rionda Co., 112 Wall Street, New York, by E. H. Costello, vice president, McCahan Sugar Refining & Molasses Co.
G. H. Finlay Co., 24-26 Old Slip, New York.
The Francisco Sugar Co., 112 Wall Street, New York, by M. E. Rionda, vice president, McCahan Sugar Refining & Molasses Co.
Fox Bros. & Co., 126 Lafayette Street, New York.
Guantanamo Sugar Co., 129 Front Street, New York, by Geo. H. Bunker, treasurer, National Sugar Refining Co.
Hershey Chocolate Co., Hershey, Pa., by Wm. F. R. Murrie, president.
Hormiguero Central Corporation, 63 Wall Street, New York, by C. H. Blackburn, vice president and treasurer.
B. H. Howell Son & Co., 129 Front Street, New York, National Sugar Refining Co.
Ingenio Porvenir Corporation, 129 Front Street, New York, by H. J. Fullum, treasurer, National Sugar Refining Co.
The W. J. McCahan Sugar Refining & Molasses Co., 112 Wall Street, New York, by M. E. Rionda, president.
Miranda Sugar Co., 79 Wall Street, New York, by Henry A. Rubino, vice president, Warner Sugar Refining Co.
Manatt Sugar Co., 112 Wall Street, New York, by M. E. Rionda, vice president, McCahan Sugar Refining & Molasses Co.
The National Sugar Refining Co. of New Jersey, 129 Front Street, New York, by James H. Post, president.
New Niguelo Sugar Co., 129 Front Street, New York, by W. B. Vanderkiet, secretary and treasurer.
H. H. Pike & Co. (Inc.), 108 Water Street, New York, by H. H. Pike, president, National Sugar Refining Co.
Punta Alegre Sugar Co., 111 Wall Street, New York, by R. W. Atkins, president, Pennsylvania Sugar Refining Co.
Soledad Sugar Co., 111 Wall Street, New York, Pennsylvania Sugar Refining Co.
Sugar Estates of Oriente, 129 Front Street, New York, by Thomas A. Howell, president, National Sugar Refining Co.
Tacajo Sugar Corporation, 112 Wall Street, New York, by G. E. Ogilvie, assistant treasurer, McCahan Sugar Refining & Molasses Co.
The Tulnuc Sugar Co., 112 Wall Street, New York, by L. J. Rionda, vice president, McCahan Sugar Refining & Molasses Co.
Warner Sugar Refining Co., 79 Wall Street, New York, by R. M. Bell, secretary and treasurer.
West India Sugar Finance Corporation, 129 Front Street, New York, by Thomas A. Howell, president, National Sugar Refining Co.
Fulton Iron Works, St. Louis, Mo., by H. J. Steinbrefer, president.
General Sugar Corporation, 67 Wall Street, New York, Col. G. A. Houston.
Sugar Plantations Operating Co., Habana, Cuba.
Ciego de Avila Compania Azucarera, Habana, Cuba.
Compania Azucarera Maria Luisa, S. S., Habana, Cuba.

Mr. SMOOT. Mr. President, I want Senators to understand and the country to understand that this association is nothing more nor less than the sugar-refining companies that are putting out this propaganda, and they intend to destroy the sugar industry of the United States, if possible. When that is done, God help the American people as to the future prices they will pay for sugar in this country.

Some Senator just asked what is the wholesale price of sugar to-day. It is over 9 cents a pound. I want to say to Senators that the same identical sugar, made by the same sugar-refining companies and produced by the same sugar-refining companies, was sold recently in the United States for a little over 5 cents.

Mr. GOODING. Mr. President, will the Senator yield?

Mr. SMOOT. I yield.

Mr. GOODING. What I want to say is that this is no new propaganda on the part of the sugar companies. Every year when American sugar is exhausted, which takes place some time in February or March, the people pay for Cuban sugar anywhere from 2 to 4 cents more than they had been paying

for American sugar. There has been no exception to that rule for the last four or five years. It is the old, old story over and over again. I put in the Record last year a statement showing that it cost the American people something like \$100,000,000 to eat Cuban sugar or foreign sugar for six months more than it did American sugar produced on American farms, beet sugar in the West, and cane sugar in the South.

Mr. HARRISON. Mr. President, will the Senator yield for a question?

Mr. SMOOT. I yield.

Mr. HARRISON. When the Senator knows that within 45 minutes we will adjourn, and there are a great many of our colleagues going out of public life and we desire to say something about them, does the Senator think it is fair for him to take the closing hour of the Congress in the defense of a proposition with reference to which a resolution was introduced by me some time ago providing for an investigation, which the Senator himself obstructed and blocked?

Mr. SMOOT. With reference to blocking the investigation, that was not what the resolution was for. If it had been a straight-out resolution of investigation nobody would have objected.

Mr. HARRISON. I should be glad to amend it in any way to meet the Senator's views.

Mr. WALSH of Massachusetts. Mr. President, will the Senator not limit his time so I may have five minutes to answer him?

Mr. SMOOT. If Senators will not interrupt me, I shall be through very quickly. I would have been through before this if it had not been for interruptions.

Mr. WALSH of Massachusetts. I have not interrupted the Senator. I think the Senator ought to limit the time so that an answer may be made to his statement.

Mr. SMOOT. I have only a little more to say, and if the Senator will not interrupt me I shall be through very quickly.

I want to refer to one of the statements made, for all of the statements which appear in what I have had printed as a part of my remarks in the Record.

There was room on the seventh page of the refiners' letter for a further amplification of one of their many misstatements, and hence the following postscript:

"P. S.—Understand that several delegations of beet-sugar farmers have complained to the Tariff Commission and other sources at Washington about the treatment they have received from the beet-sugar factories. The burden of their complaint has been that they have been forced to raise their crops at a loss and that the beet factories have shared with them none of the benefits of the increase in tariff of 76 per cent."

Diligent inquiry fails to develop the fact that any beet growers have lodged complaints of the nature mentioned, excepting only growers in the section where the beet-sugar company, in which the Sugar Trust is so heavily interested, operates a chain of factories to the exclusion of independents.

Incidentally, "M. Doran" for the refiners overlooked the fact that it was this untrustworthy United States Sugar Association which almost before the ink was dry on the new tariff bill filed with the Tariff Commission a formal application with a view to having the tariff reduced on sugar.

Only those familiar with the sugar business can comprehend the extent of the malignity displayed in this letter toward a struggling home industry the members of which are trying to emerge from a universal condition bordering upon bankruptcy because they kept faith with 80,000 American farmers, and without a question paid them their high contract price for beets, regardless of the fact that due to the acts of these American Cuban interests the price of sugar had gone to smash. Quite a contrast to the "grub" store-check plan some of the mill owners were reported to have adopted in Cuba.

I remember that when the head of this United States Sugar Association, Mr. Henry Rubino, of New York City, appeared before the Finance Committee he had the effrontery to assume that Americans who had invested money in the sugar industry in Cuba were as much entitled to protection by the United States as were other Americans who have invested their money in our domestic sugar industry. In fact, he went even further by assuming that because, according to his figures, we had only \$545,000,000 invested in the domestic sugar industry and these American exploiters had over a billion dollars invested in the sugar industry of Cuba they and not the investors in the home industry were entitled to first consideration.

Mr. Horatio S. Rubens, also of New York City, who posed here as representing "the Committee on Cuban Emergency," but who is chairman of the board of the Cuba company which built and operates the railroad running from Santa Clara to Santiago on the south and Antilla on the north, and owns and oper-

ates several of the largest and lowest cost-producing sugar mills on the island, also expressed the same views. He said:

"There are millions of dollars invested in American enterprises there (Cuba) that seem to me to have the same right to protection. There is \$1,000,000,000 of it as against \$175,000,000, at the outside, in the beet industry. The question is whether this is going to be legislation for the greatest good for the greatest number of American citizens, not only for those stockholders who have interests in Cuba to the extent of a billion dollars but for those merchants and laborers who are manufacturing articles for export commerce to Cuba."

The Senators may remember the analysis of Mr. Rubino's tabulation given in my speech of August 7, which showed that of the 85 mammoth American-owned mills in Cuba 49 are either owned outright by seven groups of American refiners or by companies which are affiliated with them, and that these mills have a capacity of 2,331,023 tons of sugar a year, or 53 per cent of the total Cuban output in 1920-21, their banner year up to that time. It also developed in Mr. Rubino's testimony that these refining interests owned enough cane area in Cuba—nearly three and one-half million acres—to produce, when planted, over 8,000,000 tons of sugar a year. The Cuban output has increased over a million and three-quarter tons during the past 10 years. If they keep on expanding, where are they going to find a market for this plethora of sugar? Excepting the United States and Great Britain, all the great nations in the Temperate Zone have shaken the tropical sugar shackles from their feet and by the aid of protection are producing their sugar at home. Japan is the latest nation to attain this enviable position. She started in 20 years ago with a well formulated plan, which included a protective duty, the setting aside of large tracts of land, the guaranteeing of 6 per cent interest on the investment, the furnishing of free fertilizers, the purchase and loaning of sugar machinery, and so forth, and her policy never wavered until she had accomplished her object. Quite a contrast to the vacillating policy the seaboard refiners have induced our Government to follow.

Since I came to the Senate 20 years ago, I have seen the sugar crop of my own State grow from 20,000 to 162,000 tons, or over 800 per cent, and I have seen the beet-sugar crop of the United States grow from 86,000 to a million tons, or an increase of over 1,160 per cent. This only has been made possible by the beet people keeping some one here who was alert and able to analyze the reams of misleading, lying statements with which the refiners have almost constantly flooded Members of both Senate and House, and thus, by exposing their misstatements, enabling us successfully to controvert them. As I say, I have seen the industry grow to over a million tons, but against what odds has this increase been brought about? Twenty-one years ago, when the industry started to boom, it enjoyed a tariff rate of 1.68½ cents per pound. A few years later the refiners, scared at the erection of so many beet-sugar factories, succeeded in bringing about Cuban reciprocity which reduced the duty to 1.34 cents per pound. Later on they made another onrush and succeeded in bringing it down to 1 cent per pound and providing for automatic free sugar 2½ years later. But the World War intervened, we needed the revenue, and the free-sugar provision was repealed three days before it was to have gone into effect. But for our vacillating policy we undoubtedly would be producing our sugar at home to-day instead of having to send as much as \$970,000,000 abroad in a single year for the purchase of raw sugar.

The refiners rightly contend that Cuba is the cheapest sugar-producing country in the world and, if we so lower the duty as to render our domestic producers unable to pay such price for beets as will induce farmers to grow them, Cuba will supply us with all the sugar we consume. We know this is true. On the other hand, the late Secretary of Agriculture Wilson told us in Senate Document No. 22, Sixty-first Congress, first session, that the United States has sufficient beet-sugar area on which to produce the sugar of the world. American capital is anxious to expand the domestic sugar industry to the limit of our consumption. But as neither here nor elsewhere in the world can beet sugar be produced as cheaply as can cane sugar in Cuba, to expand or even to maintain the industry a reasonable rate of duty must be maintained, and the duty ought to be stabilized.

Beet-sugar factories are not built for a season. They cost from one and one-half to five million dollars to erect and are built for generations. Farmers are slow to take hold of a new crop. Even under favorable conditions several years usually elapse before a factory has enough beets to make a really profitable run, for which reason the new investor is greatly handicapped—a new factory experiencing several years of losses—while a near-by, older factory, where the farmers are familiar with beet culture may at the same time be making a fair profit.

Last year we consumed 5,700,000 tons of sugar, or 28 per cent of all the sugar produced in the world. Of this amount 2,424,000 tons was produced at home and in our insular possessions and 3,277,449 tons came from Cuba, at a 20 per cent tariff preferential. The balance of the Cuban crop was compelled to find a market elsewhere and compete with other tropical sugar without any tariff favors such as they enjoy on sales to the United States. Their other sugar goes largely to Great Britain, and now the possibility of losing the British market only adds to the determination of the sugar exploiters of Cuba to crush our domestic industry and thus enlarge their United States market. The inability of Great Britain to secure from overseas her customary million and a half tons of sugar a year during the World War convinced her free-trade statesmen of the desirability, indeed of the prime necessity, of a nation producing its sugar at home. As a consequence Britain has decided to build up a great national beet-sugar industry and is giving her two beet-sugar factories already in operation a tariff protection of 5½ cents per pound, the highest rate of sugar protection in the world. If Britain succeeds in her efforts, the United States will be the only great market in the world for the export of tropical sugar.

Mr. President, make no mistake, it is not the Cuban planters who are behind this propaganda to destroy our domestic sugar industry. The real Cuban planters have as much reason to fear the American refining exploiters of Cuba as have our domestic sugar producers. Twenty years ago it was largely the Cubans themselves who operated the sugar industry of their island, but since the American refining interests went in there with their mammoth mills they have crushed out and bankrupted or absorbed most of the smaller native planters and of the island's present production of nearly four and one-half million tons only a small fraction is produced by Cubans, most of whom fear that they also will be crushed out sooner or later by their wealthy and powerful American low-cost production competitors.

And the Cuban people as a whole are no better off than they were before this great development of the Cuban sugar industry took place. In fact, they are far worse off. The small plantations, on which the natives formerly produced coffee and numerous other tropical products, which we import to the value of over \$400,000,000 a year, have been absorbed by those great sugar plantations, and the formerly independent native is either growing cane for them or is working for them by the day—for cash when times are good; for "store checks" in times of depression.

Most of the vast sum of money which the sugar industry is supposed to scatter among the Cuban people never leaves New York. Most of it goes no farther than the Jersey hills, Long Island, Tarrytown, or Lenox, or the suburbs of Boston and Philadelphia, where reside most of the refining magnates. The native Cubans get only a few of the crumbs which fall from the refiners' groaning table.

When one considers the tremendous stake which the refiners are playing for it may not appear strange that people lacking in patriotism should stoop to such a low plane in their efforts to destroy an important industry of their own country. With Cuban holdings sufficient to produce 8,000,000 tons of sugar a year, give the refiners complete control of our markets, with power to fix at will the price 110,000,000 people must pay for their sugar, and their wealth in 10 years would eclipse anything ever dreamed of by a Rockefeller or Henry Ford.

Mr. HARRISON obtained the floor.

Mr. WALSH of Massachusetts. Mr. President—

The VICE PRESIDENT: Does the Senator from Mississippi yield to the Senator from Massachusetts?

Mr. HARRISON: I yield to the Senator from Massachusetts, if I may do so without losing the floor.

Mr. WALSH of Massachusetts. Mr. President, I have requested the Senator from Mississippi to yield to me in order that I may reply very briefly to the Senator from Utah [Mr. SMOOT].

Mr. President, the speech which the Senator from Utah has just delivered has been brought about by reason of the claim which was advanced in a communication from the United States Sugar Association, which has been printed in the Record, that refined sugar advanced in wholesale price from 6½ cents a pound to 9 cents a pound since the passage of the Fordney-McCumber tariff law last September. The Senator from Utah does not dispute the fact that in five months refined sugar advanced in price 2½ cents per pound; he does not dispute the fact that the price of sugar is higher in America to-day than it has been in 40 years, with the exception of five months during the peak of war prices in 1919 and the average price for 1920; he does not dispute the fact that the Fordney-McCumber law levied a tariff tax upon Cuban sugar amounting to almost 2 cents a pound.

Mr. SMOOT. The duty is \$1.76 a hundred pounds.

Mr. WALSH of Massachusetts. The contention held by the writer of the communication and by members of the minority is that if the tariff of 2 cents per pound upon sugar were removed refined sugar would be selling in this country to-day for 7 cents per pound instead of 9 cents per pound. It is not often that tariff duties are so soon reflected in increasing prices, but sugar is such a necessity of life and such a commonly used food product that the tariff levied on the sugar that it is necessary to import to supply the demand is certain to at least advance the price of the domestic supply to the level of the cost of the raw product at the foreign source of production, plus the freight charges and the duty levied.

Mr. President, to deny that the tariff is responsible is a most inconsistent attitude for Senators to take now that prices have increased following the passage of a tariff act. What did you demand a tariff upon sugar for? Was it not to enable the home producer to increase his price to the level of the foreign cost, plus the amount of the tariff? What are the real facts about sugar? The price of 96 per cent raw sugars to-day is 5.62½ cents per pound, and the duty cost and freight is 1.78½ cents per pound, making the duty-paid price upon arrival in America 7.41 cents per pound. The price of refined sugar is 9 cents per pound, less 2 per cent, or net price of 8.82 cents per pound. Thus the refiners' margin is 1.41 cents per pound, to cover cost of refining, marketing, brokerage, and profit. It is evident that if the tariff was 1 cent instead of 1½ cents per pound, sugar would be selling at about 8 cents per pound, and if raw sugar was admitted free refined sugar would be selling at about 7 cents per pound.

Mr. SMOOT. Mr. President—

Mr. WALSH of Massachusetts. I can not yield to the Senator. He consumed three-quarters of an hour in discussing this question, and I am under obligations to the Senator from Mississippi for yielding to me.

The Senator from Utah in his argument has not disputed the fact that if the tariff were removed from sugar its price would be reduced. He has not and he can not dispute the fact that the levying of the tariff duty of 1.76 cents per pound increased the price of sugar by about 2 cents per pound. To deny it is to dispute the whole theory of protection to home industries.

Mr. SMOOT. I do dispute it.

Mr. WALSH of Massachusetts. The Senator answers the claim made by talking about the selfish motives and purposes of the writer of the letter submitted by the United States Sugar Association, but I am not going to take the time of the Senate at this late hour to answer an adverse criticism of sugar importers.

I wish to say, however, in reply to the Senator from Utah that not only sugar but practically every article which was given protection in the Fordney-McCumber tariff law has in the last five months reflected an increase in price. For instance, sweaters, blankets, woolen clothing, woolen underwear, all classes of woolen goods, have been very substantially increased in price, as have building materials of all kinds and cotton cloth; in fact, there is scarcely a single article on which the duty was increased in the Fordney-McCumber tariff law to which there has not already been reflected an increase in prices.

Mr. GOODING. Mr. President, will the Senator yield?

Mr. WALSH of Massachusetts. I can not yield. The Senator from Mississippi has yielded to me. I can not give away his time.

Mr. GOODING. I merely desire to say that most building materials are on the free list or have a very small duty imposed upon them, and that carpet wool is on the free list, and yet carpets are selling at a higher price than has ever been known in the history of this country.

Mr. WALSH of Massachusetts. Mr. President, let me enumerate a few price increases which have occurred. I shall quote from a communication from the Fair Tariff League. Where can we determine what materials have increased in price except from those who deal in such materials? Where can we learn of the effect of the tariff in increasing the price of sugar except from the sugar corporations and the sugar dealers, wholesalers and retailers? Where can we learn about the effect of increased prices upon woolen goods except from clothiers, and about the effect on building materials except from those dealing in such materials? The division of building and housing of the Department of Commerce in a recent table shows that the cost of a 6-room house made of brick has advanced since the passage of the new tariff law 9 per cent; that the cost of a 6-room frame house has advanced 10 per cent, and the cost of a typical factory building has increased 15 per cent. The only articles that show practically no increase in price are such articles as brick and cement, which were kept on the free list.

I wish I had time to read this list and to show how in five months the cost of living to the American people has increased from 10 to 30 per cent on many of the necessities and essentials of life. The per cent of increase on sugar alone is about 45 per cent. Sugar is only one article the price of which has enormously advanced, but practically every single article upon which a duty has been levied has already reflected that duty in an increase in price, and it is expected that the increases will continue, because the law has been in operation for so short a time that the full effect of the tariff in increasing prices has not yet been reflected.

I have a communication before me from a leading clothing manufacturer of Baltimore, in which he confirms what has already been said by the clothing manufacturers of New York. He says:

The great change (in prices) is in the domestic fabrics on both suitings and overcoatings. I should say the average increase is 15 to 20 per cent for the materials, so that affecting men's wearing apparel for the fall and winter season of 1923 a suit or overcoat which sold formerly for \$30 retail will have to bring \$35.

So on suits of clothes an increased price of \$5 has already been reflected. This is not hearsay, but from a manufacturer who states how the increase is brought about.

But, Mr. President, I can not and will not longer take the time of the Senator from Mississippi. I ask permission that certain very important and enlightening communications which I have from the Fair Tariff League, from two clothiers, and two other communications showing the effect of the Fordney-McCumber tariff bill in increasing prices may be inserted in the RECORD.

Mr. SMOOT. Before that is done I desire to say a word.

Mr. HARRISON. I do not want to lose the floor.

Mr. SMOOT. If the Senator does not want to yield, I shall object to the communications being printed in the RECORD. I do not care, of course, whether they are printed in the RECORD or not; but if they are to go in, I want them to go in with the very distinct understanding as to whom the communications are from. When that is made known I shall have no objection to the communications being printed in the RECORD.

Mr. HARRISON. I do not want to lose the floor.

Mr. WALSH of Massachusetts. I have no purpose to camouflage the authors of the communications.

Mr. SMOOT. If the Senator will let me make a short statement, I shall not object.

Mr. WALSH of Massachusetts. One communication is from the Fair Tariff League; another from M. Stein Co., of Baltimore; another from William Goldman, of New York; and two other communications, one from the United States Sugar Association, and one from Spokane, Wash.

Mr. SMOOT. I wish to show what the Fair Tariff League is. I want to say to the Senate that the Fair Tariff League is nothing more nor less than Mr. H. E. Miles; that is all there is to it.

Mr. HARRISON. Mr. President, I decline to yield.

Mr. SMOOT. Then, if I can not make the statement, I shall object to the communications going in the RECORD.

Mr. HARRISON. I merely do not wish to lose the floor. I will yield to the Senator if I do not lose the floor.

Mr. SMOOT. I wish to say further to the Senator from Massachusetts that, coming from the source it does, I deny the statement as to woolen goods. I say that it is not true. I would not ask Senators to take my word for it, for I could prove it now if I had the time.

Mr. President, with that statement the communications may go into the RECORD.

The VICE PRESIDENT. Without objection, the communications will be printed in the RECORD.

The communications referred to are as follows:

UNITED STATES SUGAR ASSOCIATION,
New York, March 3, 1923.

HON. DAVID I. WALSH,
United States Senate, Washington, D. C.

HONORABLE SIR: Observing that the Brookhart resolution to investigate the sugar situation has somewhat stirred up matters and that you were considerate enough to insert my communication, I thought I would add a few observations in anticipation of what Senator Smoot might have to say.

The price of 96° raw sugar to-day is 5.62½ cents per pound, and the duty, cost, and freight to be added is 1.78½ cents per pound, making duty-paid price 7.41 cents per pound. The price of refined is 9 cents per pound less 2 per cent or net price of 8.82 cents per pound. Thus refiners margin is 1.41 cents per pound to cover cost of refining, marketing, brokerage, and profit, which does not display extortion on the part of refiners.

On the other hand, according to Weather, Crops, and Markets issue of December 23, 1922, the average price paid beet farmers by beet factories for a ton of beets containing 15.50 per cent of sugar from which 13.17 per cent of refined sugar, or 263.4 pounds, were extracted was \$5.65. Thus the beet factories have secured their raw product at an average of 2.14 cents per pound and are now selling it on the

basis of New York price of refined, 9 cents plus freight charge; in Colorado, Utah, Montana, Michigan, Nebraska, Wyoming, and other States, which ranges between 1 cent and 1.84 cents per pound more. They are therefore taking advantage of the rise on the cost of raw cane sugars to refiners to raise their prices though their raw product cost has been constant at 2.14 cents per pound. As the cost of beet factories to make refined, when they have secured their raw product at 2.14 cents per pound is no more than 1½ cents per pound, their total cost to produce is 3.64 cents per pound, leaving them a margin between cost and selling price of 5.36 cents per pound at 9 cents, 6.86 cents per pound at 10 cents, and 7.20 cents per pound at 10.84 cents per pound. In contrast to a cane refiners' margin of 1.41 cents per pound at present prices of 9 cents. Such prices mean 11 cents to 12 cents per pound retail in the Western States where beet sugar is produced in surplus quantities. Even if cane refiners were extorting abnormal profits, the beet factories are profiting to a greater extent as they follow all advances and sell upon the basis of the New York refined price, and their margin of profit is from 5 to 7 times that of cane refiners.

The tariff adds 2 cents to every pound and is responsible for 2 cents of the cost. If removed, sugar would now be selling at 7 cents instead of 9 cents. If reduced 1 cent, sugar would be selling at 8 cents instead of 9 cents, as it would cost refiners just so much less for their raw product, and they could afford to offer it just so much less.

I observe that Senator Smoot returns to the old charge that refiners now control the raw production of Cuba and are themselves raising the price of the raw product. In his speech of August 7 last, Senator Smoot attempted to show that a refining group controlled 2,331,035 tons of the Cuban production. This was answered by Mr. Rubino in his article "Sugar, the proposed high duty." The complete story, pages 20 to 27, wherein he shows that individuals who may be stockholders in refineries are interested in Cuban companies which produce 530,000 tons instead of 2,331,035 tons, and that the group charge of Truman G. Palmer and Senator Smoot is absurd. As a matter of fact, a refiner's profits depend upon the low price at which he may obtain raw sugars; the more he pays the less his profits. So if he went extensively into the raw production he would be doing so at the expense of his refining business. One business would be operating against the other. For this reason neither Arbuckle, Federal, Penn, or Savannah refineries, as well as National, have any raw sugar interests whatever. It is a simple business proposition with them not to have a raw sugar interest compete with their refining interests.

Let Senator Smoot explain how it was that sugar advanced from 6.25 to 9 cents per pound since the passage of the tariff bill, when he attempted to show that the price would decline; how the price of sugar went up during the very time that Louisiana and domestic came on the market, when he said that the price invariably declined during this period, and what benefit the farmer derives at a price of \$5.65 per ton with sugar selling at 10 and 11 cents in 1923, when the farmer was getting \$5.84 per ton in 1912 and \$5.69 per ton in 1918 when average prices for refined were 5.04 and 4.278 cents, respectively, and why the factories do not share the benefits of tariff with the farmer when their profit from it on 263.4 pounds of sugar extracted from a ton of beets in 1922 at 2 cents per pound is \$5.268 per ton in itself, and they pay the farmer but \$5.65 per ton even when they sell their sugar at 10 cents per pound.

Thanking you for the consideration given my communication and trusting that the inclosed may serve to further embarrass any of the high tariff advocates who may attempt to defend their position on sugar tariff, I beg to remain,

UNITED STATES SUGAR ASSOCIATION.
By M. DORAN, Assistant Secretary.

NEW YORK, February 12, 1923.

HON. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SENATOR WALSH: I promised to write you a little later concerning the advances on other articles of wool manufacture and also concerning the opening prices on suitings, which were generally opened last week.

With regard to the latter, the fancy suitings opened by the American Woolen Co. reflected price advances ranging from 15 to 20 per cent over those of a year ago, and that about reflects the situation generally throughout the market on other lines. One worsted manufacturer making very fine suitings told me that if he marked his goods on the basis of the existing price of wool, they would have to be 25 cents a yard higher, a difference of perhaps 6 or 7 per cent. Practically all manufacturers have stated that they are not selling their goods on a basis of the existing wool market; that they are all figuring their wools on the basis of actual cost; and practically all of them provided stock to make their goods out of several months ago.

I have spoken to one of the largest manufacturers of woolen underwear. He tells me that on all-wool underwear the advance is 20 per cent; that the great bulk of the business, however, is done on part-woolen underwear, and the advances range from 10 per cent on this class of merchandise, depending upon the quantity of wool used.

With regard to hosiery, he tells me that the situation is somewhat confused on account of some dislocation in this industry due to the style factor and the competition with the silk-hosiery business, but he said that the situation would not be different than it is in underwear if the manufacturer had to go out and buy his wool and sell it on his usual percentage of mark up.

I have spoken to another very large manufacturer of sweaters. They specialize in the manufacture of a sweater coat that is sold all over the country in a very large way at \$6 at retail. He says the price for the coming fall will be \$7.50 at retail, and if he were to buy wool on the present market it would have to be higher.

Very truly yours,

WM. GOLDMAN.

M. STEIN & Co.,
Baltimore, Md., February 20, 1923.

HON. DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Pursuant to conversation we had on the train last week, and in compliance with your request for information as to increased prices on domestic and imported woolen and worsted fabrics, and what effect the increased price will have upon suits and overcoats, beg to say that notwithstanding that the duty on imported fabrics under the new tariff bill is much higher, there is only a change of about 20 per cent increase on imported woolens and worsteds when landed here.

The great change is in the domestic fabrics on both suitings and overcoatings. I should say the average increase is 15 per cent to 20 per cent for the material, so that, affecting men's wearing apparel for the fall and winter season of 1923, a suit or overcoat which sold, will say, for \$30 retail will have to bring \$35.

The \$5 increase, for your information, I will say, is made up as follows:

The woolen or worsted fabric that would go into a \$30 retail suit costing last year an average of \$3 a yard will cost now 20 per cent more, or \$3.60 a yard. This increase, together with a minimum of 20 per cent increase on trimmings that goes into a garment, will mean that the manufacturer will have to charge the retail merchant at least \$3 more for the garment, and the retailer, of course, will ask about \$5 more.

The same percentage of increase prevailing in the highest priced garments will mean that the manufacturers will have to ask \$5 to \$6 more of the retailer, who in turn will have to add \$10 to the retail price over last year.

If there is anything additional that you would like to know, I will be glad to hear from you.

Yours very truly,

M. STEIN.

SPOKANE, WASH., January 29, 1923.

HON. SENATOR WALSH,
Washington, D. C.

I recently noted an article which appeared in the Associated Press dispatches, published in our little paper here, regarding what Senator Smoot had to say about the highbrows objecting to the Republican Party's tariff of 31 cents per pound on wool, etc., not increasing the cost of a suit of clothes to any extent. His talk about only the highbrows objecting is all bunk, and his statement is misleading, inasmuch as he would figure out that my wool suit of clothes would cost me only \$1.24 more. Senator Smoot is trying to throw sand in the people's eyes for the benefit of the woolgrower. I am a Republican in politics, but I could never support a party which would place a tariff on wool, hides, etc., where a very, very few people are benefited at the expense of 110,000,000 American citizens. The \$1.24 tariff on the 4 pounds of wool in my suit of clothes, at Spokane, works out about as follows:

Tariff on the 4 pounds of wool	\$1.24
Plus the American Woolen Co.'s expenses and profit manufacturing and selling the cloth, 45 per cent	.50
	1.80
Plus the clothing manufacturers' cost, 40 per cent	.72
	2.52
Plus the wholesale clothing company's expenses, freight, profit, etc., 30 per cent	.76
	3.28
Plus the retailer's freight, expenses of selling, and profit, 60 per cent	1.97
	5.25

That is about the way it works out, and when I buy my suit of clothes here it has a cost of \$5.25 to \$6 more for the \$1.24 tariff on the wool in my suit of clothes. Of course, we know it should not, but it does. In reality, we figure about \$6 on each man's suit.

Respectfully,

J. COURTNEY.

WASHINGTON, D. C., March 3, 1923.

HON. DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR WALSH: Answering your inquiry as to changes in prices in recent months, and in particular since the passage of the Fordney-McCumber tariff law September 22, 1922, I submit the following:

The Division of Building and Housing of the Department of Commerce, in a recent table, shows that a six-room house made of brick advanced 9 per cent in cost from July last to January last; a six-room frame house, 10 per cent; and a typical factory building 15 per cent.

A table recently prepared by the Bureau of Labor Statistics of the Department of Commerce shows that plate glass from 8 to 5 inches square advanced 10 per cent from August to December last. These pieces, it should be noted, are cut out of large broken pieces. Pieces 5 to 10 square feet advanced 22 per cent. Single A window glass advanced 9.6 per cent and single B 6 per cent. Lumber has advanced 9 per cent. Common brick and cement, which were left on the free list, advanced 2 per cent only, while the high-protected articles like glass advanced from 6 per cent to 22 per cent. Nails advanced 11 per cent; structural steel, 11 per cent; steel bars for reinforcing, 13 per cent. Since these December advances there have been further considerable advances in the metal market. It seems clear that the makers of heavy steel products will get all or most of the \$351,000,000 per annum that our experts figured that the Fordney law permits them to add to their prices. The entire steel market is very firm and prices advancing to an alarming extent, in the judgment of manufacturers and others. The Fordney-McCumber tariff law raised the duty on files from 25 per cent to 44 per cent, an increase of 19 points. Prices were immediately increased 15 per cent, or three-fourths of the tariff increase.

The entire tariff increase was added to the price of aluminum almost immediately, one advance being 2 cents per pound and the next advance 3 cents. The price of domestic aluminum to-day is the English price plus the duty plus freight to New York on the competitive English product.

Lead increased 40 per cent; zinc, 3.3 per cent; antimony, 30 per cent; and aluminum, 27 per cent. These advances are from September 1 to January 4 last. Of the steel alloys used to make automobiles and other manufactured products lighter and stronger, prices have advanced greatly, some having doubled in price.

Knit underwear has increased 15 per cent. Clothing generally has increased 15 per cent. Some woolen goods are being offered at apparently old prices, but they are of cheaper quality, with more of cotton and shoddy in them.

Cotton cloths have advanced from 20 to 25 per cent; from one-fifth to one-fourth of this advance is due to increase in raw material, the rest principally due to the tariff. Indianhead cotton sheeting, a well-known brand, has advanced 22½ per cent. Some cheap sateens for

women's wear and for men's sleeve linings have advanced about 50 per cent. Certain English cotton spinners have expressed satisfaction at our high rates, saying that they restrict their importations, which are only \$10,000,000 per year, but they lessen our competition in other countries to which England exports \$500,000,000 worth. Linens have advanced in this period 3 cents per yard; ordinary damask, 5 per cent; linen canvas, 5 cents per yard.

The Journal of Commerce of New York City in January last published a list of about 75 chemicals on which the duties were advanced in the Fordney law. All but one had added all or most of the increase in the duty to the price. Of another list of 13 drugs and chemicals, each had added all or most of the duty. Of another list of five chemicals that were put on the free list, the price had decreased on each.

Very truly yours,

FAIR TARIFF LEAGUE,
H. E. MILES, Chairman.

(Signed)

Mr. JONES of New Mexico. Mr. President, will the Senator from Mississippi yield to me for just a moment?

Mr. CALDER. Mr. President—

Mr. CURTIS. Mr. President, let us have the regular order. The VICE PRESIDENT. The Senator from Mississippi will proceed.

Mr. HARRISON. Mr. President, I was perfectly willing to yield to the Senator from New York who I thought was going to report the resolution introduced day before yesterday by the Senator from Iowa [Mr. BROOKHART] to investigate the increase in the price of sugar. I am willing now to yield to him, but a point of order would probably be made against me, and I do not want to lose the floor.

Mr. CURTIS. I understand the Secretary of Commerce has a large appropriation for this purpose and he intends to investigate the subject, and, therefore, I demand the regular order.

Mr. HARRISON. Mr. President, it is perfectly appropriate—

Mr. CALDER. Mr. President, will the Senator yield?

Mr. HARRISON. I want to proceed for just a few minutes. Does the Senator from New York want to ask a question?

Mr. CALDER. I have a resolution which I desire to report.

Mr. HARRISON. What resolution, may I ask?

Mr. CALDER. The sugar resolution. I am prepared to report that resolution if it is in order.

Mr. HARRISON. The Senator refers to the resolution to investigate the sugar situation?

Mr. CALDER. Yes.

Mr. HARRISON. I will yield for that purpose, unless I will thereby lose the floor.

Mr. CURTIS. I demand the regular order.

Mr. LA FOLLETTE. What is the regular order?

Mr. CURTIS. The Senator from Wisconsin knows what is the regular order as well as I do.

Mr. LA FOLLETTE. I know there is a regular system here to block this investigation of the sugar trust.

The VICE PRESIDENT. The Senator from Mississippi has the floor. He has not yielded to anyone.

Mr. KING. Mr. President—

Mr. CURTIS. I demand the regular order.

The VICE PRESIDENT. The Senator from Mississippi will proceed.

Mr. KING. I ask unanimous consent, if the Senator will yield, that the Senator from New York be permitted to report the resolution just referred to.

Mr. CURTIS. I demand the regular order.

The VICE PRESIDENT. The Senator from Mississippi will proceed.

Mr. HARRISON. Mr. President, it is perfectly appropriate that during the last 35 minutes of the Congress the distinguished Senator from Utah, who is known to stand for high-priced sugar to the consumers of the country, should have spent this time in a defense of the increase in the price of sugar, whether it came by virtue of a trust in Cuba or by virtue of a trust in this country. At the last Congress, when we had thoroughly discussed this whole sugar problem, after those of us on this side and some on the other side had joined hands to prevent the increased tariff rate on sugar going into the tariff bill, the Senator from Utah saw fit, during the last minutes of a dying Congress, to rise in his place and make an extensive speech defending the tariff on sugar. I pointed out night before last that in all probability during the last minutes of this Congress, when no one would have a chance to reply, he would follow the same policy. That prophesy has come true.

Mr. SMOOT. The Senator must know that I had no chance to speak earlier, on account of the filibuster that took place here yesterday afternoon and evening.

Mr. HARRISON. The Senator had no chance because he and others were trying to put down our throats the ship subsidy bill—

Mr. SMOOT. Not at all.

Mr. HARRISON. When everybody knew for weeks that they had no chance to do it, and if they had stopped sooner we could have gone along in an orderly way, and many of the bills that have died on the calendar, which you promised your constituents to pass, could have been passed.

Mr. President, I am sorry that it has been necessary to say that even during the closing hours of a Congress, when everybody except a Republican Senator should feel good because Congress is at an end. [Laughter in the galleries.]

The VICE PRESIDENT. The occupants of the galleries must preserve order.

SENATOR JOHN SHARP WILLIAMS.

Mr. HARRISON. Mr. President, I may say that personally I am very sorry that many of my colleagues on the other side will be here no more. Politically, of course, I am glad; but, Mr. President, I have risen to-day to speak very briefly of one gentleman whose departure from this body is universally regretted.

Few men ever entered this Chamber better prepared by education and training and natural ability to render great public service than did my distinguished colleague, JOHN SHARP WILLIAMS. Possessing a towering intellect, a store of ready information that is inexhaustible, a sharpness, a quickness, and a richness in debate that is as attractive as it is effective, it was natural that during his 30 years of congressional life he should have risen to the leadership of his party in the House and a commanding position in this body.

His peculiarity of style, his grace and purity of diction, his clearness of imagery, his thorough understanding of economic and diplomatic problems, both national and international, enriched the debates of the Senate and the literature of our country. A picturesque and unique character, he will be greatly missed from this Chamber and the public life of the Nation. He voluntarily retired from public service. He could have remained here as long as he lived. There was not the slightest sign of opposition to him upon the political horizon when he announced his intention to retire. He goes back to his people, whom he loved and served so long and faithfully.

Mr. President, the heart of Mississippi to-day is heavy because of the retirement of her mightiest statesman. Not only Mississippi but the Nation, as well as civilization, needs him at this hour; but he has followed his own inclination, callous to tempting and highly remunerative offers, he chose to go back to his plantation in Yazoo, where he might live anew with his old friends, might play with his grandchildren, listen to the stories of trusted colored servants and field hands, and hear, as he has beautifully said, the chorus of his mocking birds, and pluck from his own garden, with his own hands, his own flowers, kissed by the southern dews.

I am sure I voice the sentiments of not only the people of Mississippi but those of every Member of this body and a large part of the country in expressing these few words of regret at his retirement and warmest good wishes for a long life and happiness.

FEDERAL FARM LOAN BOARD.

The VICE PRESIDENT. The Chair lays before the Senate a joint resolution from the House of Representatives, which will be read.

The Assistant Secretary read the joint resolution (H. J. Res. 466) to provide an additional appropriation for the Federal Farm Loan Board for the fiscal year 1924, as follows:

Resolved, etc., That the sum of \$24,000 is appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1924, to provide payment for the following additional positions in the Federal Farm Loan Board: Two members at the rate of \$10,000 each and two private secretaries at the rate of \$2,000 each.

Mr. McLEAN. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. If it leads to no discussion, I shall not object. It ought to be passed.

Mr. BURSUM. What is the proposition, Mr. President?

Mr. McLEAN. It provides the compensation for the two new members of the Federal Farm Loan Board agreed to by the action we took yesterday.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NOTIFICATION TO THE PRESIDENT.

Mr. LODGE submitted the following resolution (S. Res. 473), which was considered by unanimous consent and agreed to.

Resolved, That a committee of two Senators be appointed by the Vice President to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some further communication to make to them.

The VICE PRESIDENT appointed Mr. LODGE and Mr. ROBINSON as the committee on the part of the Senate under the resolution.

COMMISSION OF GOLD AND SILVER INQUIRY.

The VICE PRESIDENT. Pursuant to the provisions of Senate Resolution 469, creating the Commission of Gold and Silver Inquiry, the Chair appoints the following Senators members of the commission: Mr. NICHOLSON, Mr. ODDIE, Mr. GOODING, Mr. WALSH of Montana, and Mr. PITTMAN.

ADJUSTMENTS OF CONGRESSIONAL SALARIES.

The VICE PRESIDENT. Pursuant to section 10 of the act (H. R. 14435) making appropriations to provide additional compensation for certain civilian employees of the Governments of the United States and the District of Columbia during the fiscal year ending June 30, 1924, the Chair appoints Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN as members on the part of the Senate of the joint committee of Congress to investigate and report to Congress on the first day of the next regular session what adjustments, if any, should be made in the compensation of the officers and employees of the Senate and House of Representatives, including joint committees and joint commissions, the office of the Architect of the Capitol, the legislative drafting service, and the Capitol police.

SENATOR CHARLES A. CULBERSON.

Mr. SHEPPARD. Mr. President, when the Senate adjourns to-day my colleague, the senior Senator from Texas [Mr. CULBERSON], will retire from this body, after a service of 24 years. In point of sustained efficiency, industry, and effective statesmanship that service is notable in our country's annals.

Before coming to the Senate he had been governor and attorney general of Texas, and in these capacities had made so brilliant a record as to win, not only the devotion of the people of Texas, but the attention and the approval of the Nation.

Entering the United States Senate immediately upon the conclusion of his official career in Texas, he soon established himself in the front rank of this assembly. For almost a quarter of a century he has maintained that relation here—honored, beloved, his counsel valued, his judgment sought. He has been the official leader of his party on the floor, his period of command proving an asset and an inspiration to the fighting Democracy.

I need not review on this occasion his memorable labors for Texas and the Nation. His stainless conduct, his engaging personality, his fidelity to the public interest, his intellectual strength, his amazing grasp of detail, and his ability to reduce the most complicated problems to the crystal clearness of a simple formula, evidenced no less by his success at the bar than by his efforts in executive and legislative positions, exemplify what is best in American character and achievement. I have risen more especially to express the sadness I feel, and which I know the Senate feels, in witnessing his departure from this arena, on which he has reflected a luster in keeping with its brightest traditions.

THE TARIFF AND THE FARMER.

Mr. JONES of New Mexico. Mr. President, in connection with the discussion between the Senator from Utah [Mr. SMOOT] and the Senator from Massachusetts [Mr. WALSH], I have here an article which appeared in the American Farm Bureau Federation Weekly News Letter discussing the tariff in its relation to the farmers of the country. I ask permission that this article may be printed in the RECORD in eight-point type.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From the American Farm Bureau Federation Weekly News Letter of January 11, 1923.]

MORE COST THAN GAIN IN TARIFF—NET LOSS TO AGRICULTURE IS ESTIMATED AT \$300,000,000.

This tariff study is submitted by the department of research as a final summary of conclusions on the tariff situation.

This study of the tariff was undertaken for the purpose of appraising the effect of a protective tariff on the income and expenditures of the farmers of the country, having special refer-

ence to the tariff of 1922. This involved two tasks—first, to determine to what extent farmers as producers are benefited by import duties on their own products through resultant increases in market prices; and second, to estimate the increased cost of commodities purchased by farmers, whether agricultural or industrial products, attributable to the existing tariff. In the foregoing articles of the series an analysis of the relation of each of the more important farm products to the tariff has been made; a general discussion of the effects of import duties on prices of the products of other industries has been presented. In the present article a summary of conclusions will be set forth and an estimate of tariff gains and costs based on a final scrutiny of the data at hand will be offered, which, it is believed, indicates reliably, though roughly, the net financial significance of the new tariff for the general farming community.

For the purpose of this presentation the tariff schedules may best be divided into two groups: Those relating to farm products and those relating to other commodities. In the first group, farmers generally are interested both as producers and as consumers; in the second group they are interested directly only as consumers.

AGRICULTURAL SCHEDULES INVOLVE BOTH GAINS AND LOSSES.

Taking up first the schedules relating to agricultural products, it is to be noted that certain of the duties carried will increase the value of products to the benefit of those farmers who produce the given product, and thereby increase the cost of living or of operation for other farmers purchasing that product in raw or manufactured state. On the whole, however, it is estimated that gains to producers will outweigh increases to farm consumers of farm products. The accompanying table presents the figures in detail for each group of commodities accorded protection in the present law.

The bases of these various estimates and a résumé of general conclusions regarding each line of product—derived chiefly from the foregoing special article of this series—follow:

Table showing estimated results of tariff on farm products.

	Gain.	Cost to farmers.	Cost to all consumers.
Wheat.....	\$10,000,000	\$3,000,000	\$12,000,000
Other cereals.....	1,000,000	500,000	1,500,000
Sugar.....	45,800,000	48,100,000	192,400,000
Dairy and poultry products.....	3,000,000	—	9,000,000
Wool.....	37,500,000	27,300,000	91,000,000
Cattle.....	1,500,000	1,000,000	1,800,000
Tobacco.....	10,000,000	5,300,000	33,000,000
Flaxseed and linseed oil.....	3,500,000	2,700,000	9,000,000
Miscellaneous products:			
Lemons.....	5,000,000	—	—
Almonds.....	500,000	—	—
Walnuts.....	1,500,000	2,000,000	17,000,000
Miscellaneous fruits and vegetables.....	1,000,000	—	—
Hemp.....	500,000	—	—
Cloverseed.....	4,000,000	5,000,000	5,000,000
Total miscellaneous.....	12,500,000	7,000,000	22,000,000
Total farm products.....	124,800,000	94,900,000	391,700,000

Net gain to agriculture, \$29,900,000.

THE WHEAT TARIFF.

As the United States is an exporter of wheat the general impression is that an import duty is useless as a means of increasing domestic prices. Little exception can be taken to this statement of the case as regards winter wheat. A complication arises, however, in the fact that hard spring wheat is at times imported as a premium grade from Canada for mill consumption in this country. An import duty is probably in some years of material benefit to American spring wheat growers. The facts regarding imports, exports, and consumption of this product are not available. The general situation which determines the price for it, however, seems to be this: Under conditions of free trade the price of spring, as well as winter, wheat is based on the Liverpool quotation; neither American nor Canadian spring crops can sell much above the price prevailing at Liverpool, given freedom of shipment across the border, though they may sell either above or below winter wheat, depending on the relative volume of spring and winter production. In the second place, production of spring wheat in the United States has been practically stationary for the past 20 years, which probably accounts for the fact that in three out of the last six years quite considerable quantities of Canadian wheat have been imported and ground—and presumably consumed in this country. Now, given such conditions, there will be a natural tendency for prices of American spring wheat to rise above the Liverpool base whenever the crop of that grain falls below the average or when the crop of winter wheat or of Canadian spring wheat is unusually large. That is, there will be in the United States a local relative shortage of spring wheat not existing in the

world market, with consequent tendencies toward bulging prices. Free entry of Canadian grain levels down this tendency and the existence of a tariff barrier against that grain allows the domestic situation to secure its logical effect.

CROP OF 1921 AFFECTED.

There is evidence that the tariff did maintain the price of northern spring wheat above world levels in the season of 1921 and 1922, as it remained consistently above Canadian prices for Manitoba as well as above domestic prices for red winter. This year, with a very large crop of spring wheat, the effect of the duty is apparently slight or probably entirely nil. The determination of a definite figure to represent benefits to growers is largely guesswork owing to the complexity and obscurity of the factors involved. The amount here fixed upon, namely, \$10,000,000 per year, can only be taken to indicate that the sum is small compared to the total value of output, taking the average of one year with another. The cost to consumers in the form of higher prices for flour and mill feed is placed at \$12,000,000, allowance being made for the increased cost of imported wheat. Of this amount \$3,000,000, or 25 per cent, is allocated to farmers as consumers.

OTHER CEREALS.

Import duties on corn, oats, rye, barley, and rice are of little significance. Growers of buckwheat probably benefit somewhat from the duty on Canadian grain brought in mainly for feed. The duty on corn may occasionally be a minor factor when conditions favor imports from Argentina, which is not the normal situation, as that country's surplus will usually find a better market in Europe; and the tariff on oats and barley will probably influence prices seasonally and locally along the Canadian border to a small degree. Gains to producers are estimated roughly at \$1,000,000 per annum; cost to consumers, including increased cost of imported cereals, in which rice from the Orient figures most largely, at \$1,500,000; and cost to farm consumers at \$500,000.

SUGAR.

There can be no question that the duty on sugar increases the price of that commodity to about the extent of the duty on Cuban 96° centrifugals, which was fixed in conference at 1.7648 cents per pound. If it be assumed that the whole of this increase accrues to the growers, the addition to the value of their average production is \$45,800,000 annually. There is, as pointed out in the article dealing with the sugar tariff, some question whether the manufacturers may not be able to retain some of this increment; but as there is no basis for estimating any definite proportion going to manufacturers, the whole amount is allocated to growers' gains. The cost to consumers, based on 1921 consumption figures, is \$192,400,000, of which burden it is estimated that farmers as a group bear 25 per cent, making the increased cost of sweets consumed on the farm \$48,100,000. In these latter estimates it is assumed that only the amount of the Cuban duty is passed on to the consumer. As a matter of fact, the full rate of duty, which is 25 per cent higher than the Cuban preferential rate, applies to imports of refined sugar, as none is imported in the refined state from Cuba. Imports of refined sugar are usually negligible, and this excess protection accorded the manufacturer is here ignored, as its benefit can only be secured through price-fixing agreements, as to the existence of which nothing is here affirmed.

DAIRY AND POULTRY PRODUCTS.

The duties on this group of products are of slight importance to agriculture. The rates on milk and cream will probably influence materially prices received in the Boston territory. The duty on dried and frozen eggs will affect egg prices in New York, especially in the early spring months and on the grades known as breaking stock. The cheese duty will increase the prices of European types, but this will be of no particular significance to the farmer, as he produces very little of such cheeses. The estimate of a gain of \$3,000,000 to producers is based on the receipts of milk and cream at Boston, and of eggs at New York during the first six months of the year. The \$9,000,000 cost-to-consumer figure includes increased cost of the products just named as well as the cost of the duty on imported and domestic European cheese.

THE WOOL DUTY.

Roughly speaking, the duty of 31 cents per clean pound is added to the price of wool in our markets. This is equivalent to about 12.7 per grease pound on the average of domestic wools and means an increase of about \$37,500,000 in growers' receipts, on the assumption that the farm price will be increased in the same amount as the market price. Further assuming that the exact equivalent of the duty is shifted onto the final

consumer—which is probably more or less than the truth, according to market conditions—the cost to consumers is placed at \$91,000,000; that is, 31 cents per pound on the total consumption of scoured wool. The farmer probably consumes his per capita share of wool, and his increased clothing cost is accordingly figured at 30 per cent of the total cost, or \$27,300,000.

LIVE STOCK AND MEATS.

Under present conditions import duties on animals and packing-house products can have very little influence on the markets. In the earlier study of the subject it was concluded that the duty on Canadian cattle would probably have some effect on the purely local fluctuations in feeder cattle at St. Paul and slaughter stuff at Buffalo. It has been rather arbitrarily assumed that the operation of the duties will stimulate prices to the extent of one-fourth to one-half a cent a pound in the two markets named and on the particular classes mentioned. From the statistics of feeder movement at St. Paul and slaughter at Buffalo the benefits to producers are computed to be about \$1,500,000 and the increased cost to consumers \$1,800,000. Consumers of meat locally in the Buffalo market will feel the effect of whatever price increases result there, while the Corn-Belt feeders will shoulder the burden of any increase in cost of feeder cattle at St. Paul. The latter item, therefore, \$1,000,000, is charged as a cost to farm consumers.

TOBACCO.

The export and manufacturing types of tobacco, constituting the bulk of the crop, are not subject to tariff influences. Cigar leaf can be but slightly affected because the import cigar tobaccos are of a different quality and not truly competitive. Connecticut wrappers are probably increased substantially in price by the \$2.10 duty on Sumatra leaf with which they come in competition. How much the increase may be there is no way of determining. As what is believed to be a reasonable guess, based on general considerations of rates of duty, production, and price quotations, the probable benefit to producers is placed at \$10,000,000. As the duty on some 85,000,000 pounds of Cuban Sumatra and Turkish tobaccos imported annually is undoubtedly added to the selling price of cigars and cigarettes, the cost of the tobacco duty to the consumer is much higher than the gain to producers amounting, on the basis of duties assessed, to \$53,000,000. Of this 10 per cent is assigned to farmers as consumers of cigars and cigarettes.

OILS AND OIL-BEARING MATERIALS.

Whatever might be the effect of a general tariff against vegetable oils, the law as actually passed can not materially benefit any farm producers save flaxseed growers. The flaxseed duty of 40 cents per bushel will no doubt be genuinely protective.

The effect on prices, however, will be somewhat less than the amount of the duty owing to the drawback privilege whereby crushers secure a refund of a portion of the duty on the exportation of linseed meal or cake made from imported grain. Comparative prices in the United States and Canada over a period of several years indicate that the differential in favor of the American market equals approximately four-fifths of the amount of the duty. This, under the new law, is 32 cents per bushel—as the nominal rate is 40 cents—which on an average production of 11,000,000 bushels gives us \$3,500,000 as the apparent benefit to growers. Applying the same rate of increase on the linseed oil consumption of the country the indicated cost is roughly \$9,000,000, of which 30 per cent is charged as a cost to farm consumers. It should, perhaps, be noted that while 32 cents per bushel or thereabouts is the effective rate as regards the influence on the flaxseed market, it may not be the effective rate of increase in linseed oil prices. This rate on the seed is equivalent to about 1.7 cents per pound on oil. The actual rate on imported oil is 3.3 cents per pound. If the crushers are able to take advantage of the latter rate, the cost of the duty to consumers will be obviously about twice as much as the above estimate.

MISCELLANEOUS PRODUCTS.

Among the minor farm products are several which will be more or less influenced by the tariff. These include lemons, raisins, almonds, walnuts, clover seed, onions, and hemp. Gross increases in producers' receipts are estimated at \$12,500,000. In estimating increases in consumption costs imports not only of these products but of others not commercially produced in this country, such as dates, figs, pineapples, filberts, etc., must be taken into consideration. The figure is placed at \$22,000,000, taking into consideration production, imports, and rates of duty. Cost to farm consumers is figured at \$7,000,000, farmers being small purchasers of most of the commodities under consideration but the sole consumers of clover seed on which they must pay higher prices not only for domestic but for imported seed.

Considering the agricultural schedules as a whole, the estimated gains to producers is \$124,800,000, and the cost to farmers as consumers \$94,900,000, leaving a net gain to agriculture from the tariff on its own products of \$29,700,000. The total of costs to consumers of farm products is \$391,900,000. These figures, while admittedly rough, probably approximate the truth.

To estimate the effects of the tariff on the market prices of other commodities, as has been done for agricultural products, is far from a simple matter. It can not be carried out to an unlimited extent by the method which has been followed in the case of farm products; namely, by a detailed analysis of competitive conditions, prices, production, and consumption for all the individual products of all branches of an industry. To undertake such an investigation to determine the effects of the tariff in all industries—manufacturing, mining, and so forth—that operate in the United States would be far beyond the resources of this department; and no adequate inquiry of that character has been made by any agency thus far. Hence if any attempt to estimate in dollars and cents the cost of the tariff to the farmer as a consumer of the products of other industries be made, it must be by recourse to some other method.

QUESTION OF COST TO CONSUMERS.

Several estimates of the cost of the tariff to consumers have been put forth, from which the total cost to farmers might be derived by estimating his share in consumption of dutiable commodities. No particular basis for these estimates seems, however, to be discoverable and they are therefore ignored. The only basis that appears to be available for any reasonably safe estimate of the sort is the cost-to-consumer figure above presented for agricultural products. The cost of such commodities is increased by import duties to the extent of some \$392,000,000 according to our estimates. This is a trifle over 2 per cent of the average total value of the output of the farms. It might be assumed that the cost of other products would be increased in like ratio, whereby the increased cost to consumers could be computed. Such an assumption, it is believed, would be a minimum.

The assumption is here made, and the cost is so computed. The average value of gross output of all industries other than agriculture is about \$65,000,000,000; applying the ratio ascertained for farm products, the result is \$1,323,000,000, which by this computation is the cost of the tariff on other than farm products to American consumers.

FARMERS' SHARE 25 PER CENT.

Now, as to the portion of this tax which falls upon the farmer consumer. In the estimates relating to agricultural products it will be noted that the share of the cost-to-consumers figure allocated to farm consumers is a little under 25 per cent of the total. The 25 per cent share seems reasonable on other grounds. The income of farmers is estimated by the National Bureau of Economic Research as 18 per cent of the national income. Their purchasing power would therefore be 18 per cent of that of the whole country; as purchasers of ordinary consumers' goods at retail, however, they would probably buy close to their per capita share, which is 30 per cent; for a much smaller portion of farm income is spent for railroads, factories, industrial materials, and equipment, in the form of corporate securities, than is true of business profits. Furthermore, consumers' goods, where the farmers' largest purchases lie, are probably more affected by the tariff than are producers' goods, most of which are either on the free list or not susceptible to tariff influences. Moreover, the item of house rent absorbs part of the city man's income.

The farmers' share in the cost of the tariff on other than farm products is therefore placed at 25 per cent of the total, or \$331,000,000. Subtracting his net gain on the agricultural schedules, which amounts to \$30,000,000, the remainder is \$301,000,000, which represents the net cost of the tariff to agriculture. Combining the agricultural and nonagricultural schedules, the figures are, in tabular form, as follows:

Summary of benefits to farmers and minimum cost to consumers.

	Average value of output 1917-1921.	Tariff cost to consumers.	Cost to farm consumers.
Farm products.....	\$19,245,000,000	\$392,000,000	\$95,000,000
Products of all other industries.....	\$65,000,000,000	1,323,000,000	331,000,000
Total.....	\$84,245,000,000	1,715,000,000	426,000,000

¹ U. S. Department of Agriculture.

² Partly estimated.

Gross cost to farmers.....	\$426,000,000
Gains to farmers as producers.....	125,000,000
Net cost to agriculture.....	301,000,000

It is recognized that these figures are liable to a large degree of error. They are, however, based in part on a careful detailed analysis (that relating to farm products) and on a further assumption that seems reasonable as a minimum, namely, that industrial products are affected by the tariff to the same degree as are agricultural products. The chief weakness in the method is in deriving a ratio of cost of the tariff from value of total output, output being taken as roughly indicative of consumption. The figures of gross production contain a large amount of duplication both within the agricultural and industrial groups and between agriculture and industry. Production figures are therefore somewhat ambiguous; but the duplications will offset each other more or less, since they occur in both agricultural and industrial returns. That the estimate is likely to err below rather than above the truth is indicated by two further considerations. First, no allowance has been made in any of our estimates for possible "pyramiding" of duties between producer or importer and final consumer. It is most probably true that the original tariff increment to the price is, in many cases, increased as the goods pass through the channels of trade; this would naturally occur where commodities are handled on commission and, perhaps, to greater or less extent in the ordinary processes of manufacturing, wholesaling, and retailing. It has been estimated by some observers that the cost of import duties is "pyramided" to the extent of two or three fold. Such an assumption seems excessive, and there is no basis of actual measurement; the whole question has been ignored by this department in preparing estimates. In the second place, farm products enter into commerce relatively much less than industrial products.

If the ratio of tariff costs could be based on actual sales instead of gross production, the resulting figure for industrial products would undoubtedly be higher than the one above given.

PENSIONS AND INCREASE OF PENSIONS.

Mr. BURSUM. Mr. President, it seems to me that the Senate ought not to adjourn without at least giving consideration to bills which have been reported out for the relief of the defenders of the country.

Since this omnibus pension bill has been reported I am advised that three of the beneficiaries have died, so that the total number, which originally was 1,117, is now only 1,114. Of course, there may be those who will say that in the interest of economy we ought not to pass this legislation; that by the next Congress all of the 1,117 beneficiaries will have died and the Government will be that much ahead. These veterans and widows are dying at the rate of more than 4,000 a month. These omnibus bills seek to provide for the most needy, the most aged of the veterans who served during the Civil War in defense of their country, and the widows of those who have died. These veterans are poor; they are in needy circumstances; and it seems to me that it is a niggardly policy, it is an unappreciative policy, that will permit the defenders of the country who served us in time of peril to die penniless, or to depend on charity for their existence.

There is no class of people to whom the Nation is more indebted and more obligated than the veterans who served during the Civil War. Of course, the power of Senators by simply making an objection can avail to prevent action; yet yesterday we witnessed here a filibuster, lasting some eight hours, as a protest against the House of Representatives, because two or three leaders in the House, as was alleged, prevented action upon certain legislation which these distinguished Senators favored and thought ought to have a chance; yet here in the Senate, while only one objection has been raised against these bills, there is apparently no opportunity to have them considered.

Members of this body of both parties, representing at least three-fourths of the Senate, have said to me, "We are in favor of passing pension legislation, and especially the omnibus bill, and helping out these old veterans"; yet it has not been possible even to obtain a vote. What fine friends the old veteran has in the Senate, that he can not even get a vote on the consideration of a bill for his relief or for the relief of his widow!

Mr. President, I ask unanimous consent, even at this late hour, to take up and pass House bill 13980, the omnibus pension bill.

Mr. SMOOT. If the Senator asks that it be taken up, I have no objection.

Mr. BURSUM. I ask that it be taken up and considered.

Mr. SMOOT. The Senator said that he wanted it passed.

Mr. BURSUM. I would expect it to pass. Of course, you never can tell what will happen.

The VICE PRESIDENT. Is there objection to proceeding to the consideration of the bill?

Mr. DIAL. I object.

The VICE PRESIDENT. There is objection.

Mr. BURSUM. I now move that we proceed to the consideration of House bill 13980.

Mr. DIAL. I suggest the absence of a quorum.

Mr. BURSUM. I demand a roll call.

Mr. HEFLIN. The Senator from South Carolina suggests the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	France	Lenroot	Reed, Pa.
Ball	Frelinghuysen	Lodge	Robinson
Bayard	George	McCormick	Sheppard
Brandeggee	Gerry	McCumber	Shields
Brookhart	Glass	McKellar	Shortridge
Broussard	Gooding	McKinley	Smith
Bursum	Hale	McLean	Smoot
Calder	Harrell	McNary	Spencer
Cameron	Harris	Moses	Stanley
Capper	Harrison	Myers	Sterling
Caraway	Heflin	New	Sutherland
Colt	Hitchcock	Norbeck	Swanson
Couzens	Johnson	Norris	Townsend
Cummins	Jones, N. Mex.	Oddie	Wadsworth
Curtis	Jones, Wash.	Overman	Walsh, Mass.
Dial	Kendrick	Page	Warren
Dillingham	Keyes	Pepper	Watson
Edge	King	Phipps	Weller
Ernst	Ladd	Pittman	Willis
Fernald	La Follette	Pomeroy	

Mr. HARRISON. Mr. President, I desire to announce that the senior Senator from Florida [Mr. FLETCHER] has been unavoidably detained from the Senate since Wednesday on account of illness.

The VICE PRESIDENT. Seventy-nine Senators having answered to their names, a quorum is present.

Mr. WARREN. I ask the Senator to yield to me two or three minutes for the purpose of alluding to something in the RECORD this morning.

Mr. BURSUM. I yield.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had agreed to a resolution (H. Res. 577) for the appointment, by the Speaker pro tempore of the House, of a committee of three members to join a similar committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn unless the President has some other communication to make to them.

ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker pro tempore of the House had signed the enrolled joint resolution (H. J. Res. 466) to provide an additional appropriation for the Federal Farm Loan Board for the fiscal year 1924, and it was thereupon signed by the Vice President.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had approved and signed the following acts and joint resolutions:

On March 3, 1923:

S. 574. An act to amend an act entitled "An act to save daylight and to provide standard time for the United States," as amended;

S. 1076. An act establishing standard grades of naval stores, preventing deception in transactions in naval stores, regulating traffic therein, and for other purposes;

S. 2703. An act to allow the printing and publishing of illustrations of foreign postage and revenue stamps from defaced plates;

S. 3123. An act to amend section 1 of the act entitled "An act providing for the location and purchase of public lands for reservoir sites," approved January 13, 1897, as amended;

S. 3892. An act authorizing the State of California to bring suit against the United States to determine title to certain lands in Siskiyou County, Calif.;

S. 4122. An act granting the consent of Congress to the Interstate Toll Bridge Co. for construction of a bridge across Red River between Montague County, Tex., and Jefferson County, Okla.;

S. 4146. An act permitting the State of Wyoming to reconvey certain lands to the United States and select other lands in lieu thereof, and providing for the patenting of certain lands to Natrona County, Wyo., for public-park purposes;

S. 4211. An act authorizing preliminary examination and survey to be made of the intracoastal waterway in Louisiana and Texas;

S. 4235. An act granting consent of Congress to the Charlie Bridge Co. for construction of a bridge across Red River between Clay County, Tex., and Cotton County, Okla.;

S. 4387. An act to authorize the building of a bridge across the Tugaloo River between South Carolina and Georgia;

S. 4469. An act to extend the time for the construction of a bridge or bridges and trestles over the navigable channels of the mouth of the Mobile River in the State of Alabama;

S. 4536. An act to authorize the building of a bridge across the Pee Dee River in South Carolina;

S. 4548. An act declaring Bear Creek in Humphreys, Leflore, and Sunflower Counties, Miss., to be a nonnavigable stream;

S. 4552. An act to incorporate the Belleau Wood Memorial Association;

S. 4579. An act to authorize the Lee County bridge district No. 2, in the State of Arkansas, to construct a bridge over the St. Francis River;

S. 4583. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Charles Mix County and Gregory County, S. Dak.; and

S. J. Res. 240. Joint resolution authorizing the erection on public grounds of a memorial to the late Joseph J. Darlington. On March 4, 1923:

S. 425. An act authorizing the Attorney General of the United States to fix the salaries of United States attorneys and United States marshals of the several judicial districts of the United States within certain limits;

S. 2051. An act to amend section 3142 of the Revised Statutes to permit an increase in the number of collection districts for the collection of internal revenue and in the number of collectors of internal revenue from 64 to 65;

S. 2984. An act for the relief of Thurston W. True;

S. 3424. An act to provide for the reclamation of the United States military reservation, Fort De Russy, Honolulu, Hawaii;

S. 3580. An act to extend the time for the construction of a bridge across the Red River of the North at or near the city of Pembina, N. Dak.;

S. 4117. An act authorizing the closing of certain portions of Grant Road in the District of Columbia, and for other purposes;

S. 4160. An act to amend the act of Congress entitled "An act to establish a commission for the purpose of securing information in connection with questions relative to interstate commerce in coal, and for other purposes," approved September 22, 1922;

S. 4197. An act to authorize the Secretary of the Interior to issue to certain persons and certain corporations permits to explore, or leases of, certain lands that lie south of the medial line of the main channel of Red River in Oklahoma, and for other purposes;

S. 4216. An act authorizing the sale of real property no longer required for military purposes;

S. 4245. An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws;

S. 4280. An act to provide additional credit facilities for the agricultural and live-stock industries of the United States; to amend the Federal farm loan act; to amend the Federal reserve act; and for other purposes;

S. 4322. An act for the relief of the owners of the barge *Havana*;

S. 4503. An act granting the consent of Congress to Bethlehem Steel Co. to construct a bridge across Humphreys Creek at or near the city of Sparrows Point, Md.;

S. 4544. An act to authorize the extension of the period of restriction against alienation on surplus lands allotted to minor members of the Kansas or Kaw Tribe of Indians in Oklahoma;

S. 4592. An act granting consent of Congress to the Eagle Pass & Pledras Negras Bridge Co. for construction of a bridge across the Rio Grande between Eagle Pass, Tex., and Pledras Negras, Mexico;

S. 4594. An act to authorize the Secretary of State to acquire in Paris a site, with an erected building thereon, at a cost not to exceed \$300,000, for the use of the diplomatic and consular establishments of the United States;

S. 4614. An act to amend section 81 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

S. 4631. An act granting the consent of Congress to the counties of Bowie and Cass, State of Texas, for construction of a bridge across Sulphur River, at or near Paces Ferry, in said counties and State;

S. 4637. An act for the relief of certain disbursing agents under the Department of Commerce;

S. 4638. An act authorizing the Great Northern Railway Co. to maintain and operate, or reconstruct, maintain, and operate, its bridge across the Columbia River at Marcus, in the State of Washington; and

S. J. Res. 282. Joint resolution to amend the resolution of December 29, 1920, entitled "Joint resolution to create a joint committee on the reorganization of the administrative branch of the Government."

STATEMENT OF APPROPRIATIONS.

Mr. WARREN. Mr. President, this morning when I took up the RECORD my attention was called to some figures submitted by the senior Senator on the minority side of the Committee on Appropriations [Mr. OVERMAN] respecting appropriations of 1923 and 1924, and also appropriations dating back to 1915. It is usual in long sessions for the Committee on Appropriations to present to the Senate and to have inserted in the RECORD a full showing of all direct appropriations.

I thank the Senator from New Mexico for yielding.

Mr. President, I ask to have the following tables inserted as a part of my remarks. Table 1 compares the appropriations of fiscal years 1923 and 1924. Table 2 compares the Budget estimates and appropriations, fiscal year 1924. Table 3 compares Budget estimates and appropriations, deficiency and supplemental, fiscal year 1923 and prior fiscal years. Table 4 is a recapitulation of comparisons of Budget estimates and appropriations, and Table 5 is a chronological history of regular annual and deficiency appropriation bills.

The following gratifying results are shown:

The total appropriations for fiscal year 1924 are \$233,802,504.60 less than same for fiscal year 1923.

The Budget estimates for fiscal year 1924 have been reduced \$7,825,118.07, and for 1923 and prior years the sum of \$2,918,640.20; in all, \$10,743,758.27.

The reduction of the total appropriations for 1924, as compared with 1923, in the sum of \$233,802,504.60 is most welcome information for the taxpayers of this country. This result has been achieved by painstaking cooperation on the part of all concerned. In a letter of April 26, 1921, to President Harding I suggested that "the one thing leading most directly to desired results in economy is teamwork between the legislative and executive branches of the Government."

This satisfactory result could not have been accomplished without strenuous teamwork. The executive departments, the Budget Bureau, the Committee on Appropriations of the House of Representatives, the House of Representatives, the Committee on Appropriations of the Senate, the Senate, and finally the President—all these have had their part, and all have given to their country their best efforts; hence a good result. It is pleasant to say that there has been no ill feeling or prejudice between any of the above-named. In the very nature of things there will be differences of opinion among men, but none so strong that reasoning, conciliation, and compromise can not overcome them as to national finances.

The reductions in supply bills for the fiscal year 1924 have been so made that no legitimate function of the Government will suffer. Notwithstanding the reductions made, there has been appropriated as follows: \$1,295,097,000 for the interest on the public debt and public-debt redemption funds; \$428,160,773 for the Veterans' Bureau to care for the needs of the veterans of the World War; \$253,000,000 for Army and Navy pensions for soldiers of the Civil War and other wars; \$70,532,060 for rivers and harbors, flood control, and Muscle Shoals improvement; \$50,411,500 for the United States Shipping Board; and \$34,050,000 for the construction of roads.

Criticism of deficiency appropriations made at this session is not warranted. The first, second, and third deficiency acts appropriated \$233,492,526.37—largely the results of war. The greater portion of this sum went for purposes authorized by law and over which Congress had no discretion. For example, \$121,105,000 for refunding taxes illegally collected; \$25,000,000 for the cooperative construction of rural post roads; \$20,950,000 for scrapping naval vessels; \$16,000,000 for Army and Navy pensions on account of monthly payment of pensions; \$13,235,000 for military and naval insurance, Veterans' Bureau; \$5,842,483.08 for judgments, audited claims, court awards, and damage claims; and \$2,595,793.87 to carry out new laws and treaties. The seven items above enumerated amount to \$204,728,276.95. Deducting this sum, there remain deficiencies amounting to \$28,764,249.42. Of this sum \$12,108,013.58 was appropriated for the Postal Service and made payable out of

postal revenues, and made necessary by the increased volume of business, and \$6,500,000 for changes in range of turret guns of certain battleships permissible under the terms of the treaty providing for the limitation of naval armament. Deducting these two items, there remains but \$10,156,235.84 for real deficiencies, which is comparatively a very small amount.

A glance at Table 5, the chronological history of regular annual and deficiency appropriation bills, shows the appropriations have never been handled so early nor in such a

systematic and expeditious manner. The Budget law has demonstrated its worth. It helps separate the chaff from the grain. It gives accuracy, as well as integrity, to estimates, which results in less work on the part of Congress. Under the old system congressional committees were obliged to spend a great amount of time on extravagant and questionable estimates. In fact, meritorious estimates are never the cause of great contention. Now, that estimates mean something, the work of all is accelerated.

TABLE I.—Comparison of appropriations by departments and establishments, fiscal years 1923 and 1924.

[Amounts carried for each of these years in regular annual appropriation acts, deficiency appropriation acts, special acts, and amounts estimated under permanent and indefinite appropriations.]

	Appropriations, fiscal year 1923.	Appropriations, fiscal year 1924.	Decrease (—) or increase (+) 1924 compared with 1923.
Legislative branch:			
Regular annual.....	\$13,122,664.30	\$12,715,971.60	—\$406,692.70
Increased compensation.....	1,694,356.00	1,705,140.00	+10,784.00
Permanent and indefinite.....	800.00	800.00	.....
Total.....	14,817,820.30	14,421,911.60	—395,908.70
Executive Office and independent offices:			
Regular annual—			
Shipping Board.....	100,459,000.00	50,411,500.00	—50,047,500.00
Veterans' Bureau.....	431,298,843.45	428,160,773.00	—3,138,070.45
Executive and other independent offices.....	21,021,403.93	18,062,098.00	—2,959,305.93
Increased compensation.....	5,527,342.00	4,916,192.00	—611,150.00
Total.....	558,306,589.38	501,550,563.00	—56,756,026.38
Permanent and indefinite.....	6,017,000.00	6,511,495.74	+494,495.74
Total.....	564,323,589.38	508,062,058.74	—56,261,530.64
Agricultural Department:			
Regular annual—			
Department proper.....	37,524,153.00	37,236,653.00	—287,500.00
Increased compensation.....	3,232,863.00	3,304,800.00	+71,937.00
Roads, construction of.....	35,000,000.00	32,300,000.00	—2,700,000.00
Permanent and indefinite.....	12,250,000.00	12,220,000.00	—30,000.00
Total.....	88,007,016.00	85,061,453.00	—2,945,563.00
Commerce, Department of:			
Regular annual.....	19,509,335.36	19,377,045.00	—132,290.36
Increased compensation.....	1,835,159.00	1,958,956.00	+123,797.00
Permanent and indefinite.....	3,000.00	3,000.00	.....
Total.....	21,347,494.36	21,339,001.00	—8,493.36
Interior, Department of:			
Regular annual—			
Pensions.....	^a 270,423,206.67	254,774,660.00	—15,648,546.67
Interior Department, proper.....	43,639,960.62	39,900,040.00	—3,739,920.62
Increased compensation.....	2,803,092.00	2,845,309.00	+42,217.00
Permanent and indefinite.....	27,499,000.00	28,349,500.00	+850,500.00
Total.....	344,365,259.29	325,869,509.00	—18,495,750.29
Justice, Department of, and judiciary:			
Regular annual.....	21,813,780.78	18,421,056.00	—3,392,724.78
Increased compensation.....	775,884.00	875,000.00	+99,116.00
Total.....	22,589,664.78	19,296,056.00	—3,293,608.78
Labor, Department of:			
Regular annual.....	6,923,476.11	6,918,556.00	—4,920.11
Increased compensation.....	566,832.00	566,640.00	—192.00
Permanent and indefinite.....	.....	25,000.00	+25,000.00
Total.....	7,490,308.11	7,510,196.00	+19,887.89
Navy, Department of:			
Regular annual.....	^b 321,863,512.16	294,456,528.00	—27,406,984.16
Increased compensation.....	537,120.00	510,672.00	—26,448.00
Permanent and indefinite.....	3,433,672.00	2,130,050.00	—1,303,622.00
Total.....	325,834,304.16	297,097,250.00	—28,737,054.16

^a Includes \$16,000,000 on account of the change from quarterly to monthly payments of pensions.

^b Includes \$20,950,000 for scrapping of naval vessels in conformity with the provisions of the treaty limiting naval armament and also includes \$6,500,000 for increasing the range of the turret guns of certain battleships.

TABLE I.—Comparison of appropriations by departments and establishments, fiscal years 1923 and 1924—Continued.

	Appropriations, fiscal year 1923.	Appropriations, fiscal year 1924.	Decrease (—) or increase (+) 1924 compared with 1923.
Post Office Department:			
Payable from the postal revenues—			
Regular annual.....	\$573, 079, 833. 21	\$584, 872, 991. 50	+\$11, 793, 158. 29
Increased compensation.....	352, 800. 00	337, 248. 00	—15, 552. 00
Payable from other Federal revenues—			
Increased compensation.....	12, 000. 00	11, 520. 00	—480. 00
Total.....	573, 444, 633. 21	585, 221, 759. 50	+11, 777, 126. 29
State Department:			
Regular annual.....	10, 875, 710. 95	15, 066, 665. 50	+4, 190, 954. 55
Increased compensation.....	144, 000. 00	134, 000. 00	—10, 000. 00
Permanent and indefinite.....	106, 000. 00	106, 000. 00	.....
Total.....	11, 125, 710. 95	15, 306, 665. 50	+4, 180, 954. 55
Treasury Department:			
Regular annual.....	119, 929, 941. 65	115, 410, 510. 37	—4, 519, 431. 28
Increased compensation.....	10, 724, 326. 00	10, 749, 292. 00	+24, 966. 00
Permanent and indefinite—			
Interest on public debt.....	^a 1, 100, 000, 000. 00	950, 000, 000. 00	—150, 000, 000. 00
Public debt redemption funds.....	330, 088, 800. 00	345, 097, 000. 00	+15, 008, 200. 00
All other.....	31, 058, 110. 63	31, 055, 093. 41	—3, 017. 22
Total.....	1, 591, 801, 178. 28	1, 452, 311, 895. 78	—139, 489, 282. 50
War Department:			
Military—			
Regular annual.....	262, 088, 388. 52	251, 250, 231. 00	—10, 838, 157. 52
Permanent and indefinite.....	1, 250, 000. 00	900, 000. 00	—350, 000. 00
Total, military.....	263, 338, 388. 52	252, 150, 231. 00	—11, 188 157. 52
Nonmilitary—			
Regular annual.....	69, 824, 523. 00	85, 096, 973. 00	+15, 272, 450. 00
Permanent and indefinite.....	6, 521, 300. 00	5, 843, 321. 00	—677, 979. 00
Total, nonmilitary.....	76, 345, 823. 00	90, 940, 294. 00	+14, 594, 471. 00
Total, War Department—			
Regular annual.....	331, 912, 911. 52	336, 347, 204. 00	+4, 434, 292. 48
Increased compensation.....	8, 831, 958. 00	6, 102, 057. 00	—2, 729, 901. 00
Permanent and indefinite.....	7, 771, 300. 00	6, 743, 321. 00	—1, 027, 979. 00
Total.....	348, 516, 169. 52	349, 192, 582. 00	+676, 412. 48
District of Columbia:			
Regular annual.....	23, 365, 684. 47	22, 778, 915. 00	—586, 769. 47
Increased compensation.....	1, 697, 441. 00	1, 795, 067. 00	+197, 626. 00
Permanent and indefinite.....	1, 624, 600. 00	1, 512, 843. 00	—11, 757. 00
Total.....	26, 687, 725. 47	26, 086, 825. 00	—600, 900. 47
Miscellaneous (unclassified).....	228, 793. 91	.....	—228, 793. 91
Grand total:			
Regular annual.....	2, 381, 763, 418. 18	2, 287, 211, 166. 97	—94, 552, 251. 21
Increased compensation.....	38, 735, 173. 00	35, 811, 893. 00	—2, 923, 280. 00
Permanent and indefinite.....	1, 519, 852, 282. 63	1, 383, 754, 103. 15	—136, 098, 179. 48
Miscellaneous (unclassified).....	228, 793. 91	.....	—228, 793. 91
Grand total.....	3, 940, 579, 667. 72	3, 706, 777, 163. 12	—233, 802, 504. 60
Less sum payable from postal revenues.....	573, 432, 633. 21	585, 210, 239. 50	+11, 777, 606. 29
Total, exclusive of sum payable from postal revenues.....	3, 367, 147, 034. 51	3, 121, 566, 923. 62	—245, 580, 110. 89

^a Includes \$125,000,000 for discount accruals on war savings securities due Jan. 1, 1923.

MARCH 14, 1923.

TABLE II.—Comparison of Budget estimates and appropriations, fiscal year 1924.

[The appropriations for 1924 include amounts carried for fiscal year 1924 in regular annual appropriation acts, deficiency appropriation acts, special acts, and amounts estimated under permanent and indefinite appropriations.]

Department or establishment.	Budget estimates submitted Dec. 4, 1922.	Supplemental Budget estimates submitted Dec. 4, 1922, to Mar. 4, 1923.	Total Budget estimates, fiscal year 1924.	Appropriations, 1924, regular annual and permanent and indefinite.	Increase (+) or decrease (−) appropriations compared with estimates.
Legislative branch:					
Regular annual.....	\$12,706,856.60	\$960,655.00	\$13,667,511.60	\$12,715,971.60	−\$951,540.00
Increased compensation.....	1,711,256.00		1,711,256.00	1,705,140.00	−6,116.00
Permanent and indefinite.....	800.00		800.00	800.00	
Total.....	14,418,912.60	960,655.00	15,379,567.60	14,421,911.60	−957,656.00
Executive office and independent offices:					
Regular annual—					
Shipping Board.....	50,411,500.00		50,411,500.00	50,411,500.00	
Veterans' Bureau.....	440,313,000.00		440,313,000.00	428,160,773.00	−12,152,227.00
Executive and other independent offices.....	17,616,513.00	58,350.00	17,674,863.00	18,062,098.00	+387,235.00
Increased compensation.....		4,911,912.00	4,911,912.00	4,916,192.00	+4,280.00
Total.....	508,341,013.00	4,970,262.00	513,311,275.00	501,550,563.00	−11,760,712.00
Permanent and indefinite.....	6,511,495.74		6,511,495.74	6,511,495.74	
Total.....	514,852,508.74	4,970,262.00	519,822,770.74	508,062,058.74	−11,760,712.00
Agricultural Department:					
Regular annual—					
Department proper.....	36,031,613.00		36,031,613.00	37,236,653.00	+1,205,040.00
Increased compensation.....		3,341,800.00	3,341,800.00	3,304,800.00	−37,000.00
Roads, construction of.....	33,000,000.00		33,000,000.00	32,300,000.00	−700,000.00
Permanent and indefinite.....	12,220,000.00		12,220,000.00	12,220,000.00	
Total.....	81,251,613.00	3,341,800.00	84,593,413.00	85,061,453.00	+468,040.00
Commerce, Department of:					
Regular annual.....	19,712,535.00	7,500.00	19,720,035.00	19,377,045.00	−342,990.00
Increased compensation.....		1,958,956.00	1,958,956.00	1,958,956.00	
Permanent and indefinite.....	3,000.00		3,000.00	3,000.00	
Total.....	19,715,535.00	1,966,456.00	21,681,991.00	21,339,001.00	−342,990.00
Interior, Department of:					
Regular annual—					
Pensions.....	255,082,060.00		255,082,060.00	254,774,660.00	−307,400.00
Interior Department proper.....	40,276,192.00		40,276,192.00	39,900,040.00	−376,152.00
Increased compensation.....		2,918,309.00	2,918,309.00	2,845,309.00	−73,000.00
Permanent and indefinite.....	28,349,500.00		28,349,500.00	28,349,500.00	
Total.....	323,707,752.00	2,918,309.00	326,626,061.00	325,869,509.00	−756,552.00
Justice, Department of, and judiciary:					
Regular annual.....	18,751,056.00	600.00	18,751,656.00	18,421,056.00	330,600.00
Increased compensation.....		827,000.00	827,000.00	875,000.00	+48,000.00
Total.....	18,751,056.00	827,600.00	19,578,656.00	19,296,056.00	−282,600.00
Labor, Department of:					
Regular annual.....	6,178,556.00		6,178,556.00	6,918,556.00	+740,000.00
Increased compensation.....		566,640.00	566,640.00	566,640.00	
Permanent and indefinite.....	25,000.00		25,000.00	25,000.00	
Total.....	6,203,556.00	566,640.00	6,770,196.00	7,510,196.00	+740,000.00
Navy, Department of:					
Regular annual.....	294,803,975.00		294,803,975.00	294,456,528.00	−347,447.00
Increased compensation.....		510,672.00	510,672.00	510,672.00	
Permanent and indefinite.....	2,130,050.00		2,130,050.00	2,130,050.00	
Total.....	296,934,025.00	510,672.00	297,444,697.00	297,097,250.00	−347,447.00

^a This sum is \$7,500,000 more than the amount stated in the Budget. The difference arises under the Reclamation Service. The Budget does not include in the 1924 totals the amount for that service estimated to be funded from repayments to the reclamation fund (\$7,500,000). As previous estimates and appropriations are computed on the basis of including such funding from repayments, it is confusing not to add that sum to the total for 1924, otherwise the Reclamation Service will show apparent reductions for 1924 under 1923 and prior years that are not actual.

TABLE II.—Comparison of Budget estimates and appropriations, fiscal year 1924—Continued.

Department or establishment.	Budget estimates submitted Dec. 4, 1922.	Supplemental Budget estimates submitted Dec. 4, 1922, to Mar. 4, 1923.	Total Budget estimates, fiscal year 1924.	Appropriations, 1924, regular annual and permanent and indefinite.	Increase (+) or decrease (−) appropriations compared with estimates.
Post Office Department:					
Payable from postal revenues—					
Regular annual.....	\$590,166,191.50	.....	\$590,166,191.50	\$584,872,991.50	−\$5,293,200.00
Increased compensation.....	.....	\$337,248.00	337,248.00	337,248.00	.....
Payable from other Federal revenues—					
Increased compensation.....	.....	11,520.00	11,520.00	11,520.00	.....
Total.....	590,166,191.50	348,768.00	590,514,959.50	585,221,759.50	−5,293,200.00
State Department:					
Regular annual.....	14,952,237.79	231,800.00	15,184,037.79	15,066,665.50	−117,372.29
Increased compensation.....	.....	134,000.00	134,000.00	134,000.00	.....
Permanent and indefinite.....	106,000.00	.....	106,000.00	106,000.00	.....
Total.....	15,058,237.79	365,800.00	15,424,037.79	15,306,665.50	−117,372.29
Treasury Department:					
Regular annual.....	117,833,768.87	.....	117,833,768.87	115,410,510.37	−2,423,258.50
Increased compensation.....	.....	10,789,292.00	10,789,292.00	10,749,292.00	−40,000.00
Permanent and indefinite—					
Interest on public debt.....	950,000,000.00	.....	950,000,000.00	950,000,000.00	.....
Public debt redemption funds.....	345,097,000.00	.....	345,097,000.00	345,097,000.00	.....
All other.....	31,055,093.41	.....	31,055,093.41	31,055,093.41	.....
Total.....	1,443,985,862.28	10,789,292.00	1,454,775,154.28	1,452,311,895.78	−2,463,258.50
War Department:					
Military—					
Regular annual.....	263,384,200.00	.....	263,384,200.00	251,250,231.00	−12,133,969.00
Permanent and indefinite.....	900,000.00	.....	900,000.00	900,000.00	.....
Total, military.....	264,284,200.00	.....	264,284,200.00	252,150,231.00	−12,133,969.00
Nonmilitary—					
Regular annual.....	56,389,779.28	.....	56,389,779.28	^a 85,096,973.00	+28,707,193.72
Permanent and indefinite.....	5,843,321.00	.....	5,843,321.00	5,843,321.00	.....
Total, nonmilitary.....	62,233,100.28	.....	62,233,100.28	90,940,294.00	+28,707,193.72
Total, War Department—					
Regular annual.....	319,773,979.28	.....	319,773,979.28	336,347,204.00	+16,573,224.72
Increased compensation.....	.....	8,599,437.00	8,599,437.00	6,102,057.00	−2,497,380.00
Permanent and indefinite.....	6,743,321.00	.....	6,743,321.00	6,743,321.00	.....
Total.....	326,517,300.28	8,599,437.00	335,116,737.28	349,192,582.00	+14,075,844.72
District of Columbia:					
Regular annual.....	23,531,130.00	20,000.00	23,551,130.00	22,778,915.00	−772,215.00
Increased compensation.....	.....	1,810,067.00	1,810,067.00	1,795,067.00	−15,000.00
Permanent and indefinite.....	1,512,843.00	.....	1,512,843.00	1,512,843.00	.....
Total.....	25,043,973.00	1,830,067.00	26,874,040.00	26,086,825.00	−787,215.00
Grand total:					
Regular annual.....	2,291,141,164.04	1,278,905.00	2,292,420,069.04	2,287,211,166.97	−5,208,902.07
Permanent and indefinite.....	1,383,754,103.15	.....	1,383,754,103.15	1,383,754,103.15	.....
Increased compensation.....	1,711,256.00	36,716,853.00	38,428,109.00	35,811,893.00	−2,616,216.00
Grand total.....	3,676,606,523.19	37,995,758.00	3,714,602,281.19	3,706,777,163.12	−7,825,118.07
Less Post Office (payable from postal revenues).....	590,166,191.50	337,248.00	590,503,439.50	585,210,239.50	−5,293,200.00
Total, exclusive of Post Office.....	3,086,440,331.69	37,658,510.00	3,124,098,841.69	3,121,566,923.62	−2,531,918.07

^a Includes \$28,964,150 in excess of the Budget estimates for rivers and harbors.

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TABLE III.—Comparison of Budget estimates and appropriations, deficiency and supplemental, fiscal year 1923 and prior fiscal years.

[Amounts considered and appropriated in deficiency appropriation acts approved Sept. 22, 1922, Jan. 22, 1923, and Mar. 4, 1923.]

Department or establishment.	Budget estimates, fiscal year 1923 and prior fiscal years, submitted from July 9, 1922, to Mar. 4, 1923.	Deficiency and supplemental appropriations made from July 9, 1922, to Mar. 4, 1923.	Increase (+) or decrease (—), appropriations compared with estimates.
Legislative.....	\$341,572.72	\$360,516.32	+\$18,943.60
Executive and Independent Offices.....	14,954,819.65	14,992,437.65	+37,618.00
Agriculture.....	25,652,608.06	25,597,608.06	—55,000.00
Commerce.....	774,528.74	768,903.74	—5,625.00
Interior.....	17,794,334.59	17,632,805.84	—161,528.75
Justice.....	4,804,332.57	4,541,408.04	—262,924.53
Labor.....	8,761.44	7,601.86	—1,159.58
Navy.....	28,181,476.71	28,181,476.71	.....
Post Office.....	14,102,113.58	12,108,013.58	—1,994,100.00
State.....	429,351.34	589,361.03	+160,009.69
Treasury.....	122,683,887.04	122,338,382.09	—345,504.95
War.....	6,073,895.40	5,834,700.23	—239,195.17
District of Columbia.....	609,484.73	539,311.22	—70,173.51
Total.....	236,411,166.57	233,492,526.37	—2,918,640.20

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TABLE IV.—Recapitulation of comparisons of Budget estimates and appropriations.

Net reduction in Budget estimates for the fiscal year 1924..... \$7,825,118.07
 Reduction in Budget estimates for the fiscal year 1923 and prior fiscal years..... 2,918,640.20

Total net reduction..... 10,743,758.27

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TABLE V.—Chronological history of regular annual and deficiency appropriation bills, Sixty-seventh Congress, second session (July 9 to Sept. 22, 1922), third session (Nov. 20 to Dec. 4, 1922), and fourth session (Dec. 4, 1922, to Mar. 4, 1923).

Title of the acts.	Reported to the House.		Passed the House.		Reported to the Senate.		Passed the Senate.		Law.	
	Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.
REGULAR ANNUAL BILLS.										
Agricultural Department..	1922. Dec. 18	\$68,781,553.00	1923. Jan. 2	\$69,068,053.00	1923. Jan. 6	\$72,901,653.00	1923. Jan. 13	\$73,741,653.00	1923. Feb. 26	\$69,536,653.00
Commerce and Labor Departments.....	1922. Dec. 11	25,779,101.00	1922. Dec. 13	26,079,101.00	1922. Dec. 14	25,979,601.00	1922. Dec. 15	26,346,101.00	1923. Jan. 5	26,295,601.00
District of Columbia.....	1923. Jan. 4	22,624,895.00	1923. Jan. 8	22,078,607.00	1923. Jan. 20	22,244,485.00	1923. Jan. 25	24,469,985.00	1923. Feb. 28	22,778,915.00
Independent offices.....	1923. Jan. 6	496,235,771.00	1923. Jan. 12	496,235,771.00	1923. Jan. 16	497,711,371.00	1923. Jan. 22	498,333,556.00	1923. Feb. 13	496,634,371.00
Interior Department.....	1922. Dec. 22	294,264,700.00	1923. Jan. 3	294,346,400.00	1923. Jan. 5	294,709,400.00	1923. Jan. 5	294,757,400.00	1923. Jan. 24	294,674,700.00
Legislative establishment..	1923. Jan. 19	12,603,376.00	1923. Jan. 22	12,601,326.60	1923. Jan. 25	12,703,931.60	1923. Jan. 25	12,706,071.60	1923. Feb. 20	12,706,071.60
Navy Department.....	1922. Dec. 13	293,806,538.00	1922. Dec. 18	293,806,538.00	1922. Dec. 21	295,604,378.00	1922. Dec. 30	295,604,378.00	1923. Jan. 22	294,456,528.00
Post Office Department...	1922. Dec. 28	584,614,191.50	1923. Jan. 3	584,614,191.50	1923. Jan. 11	585,064,191.50	1923. Jan. 13	585,222,991.50	1923. Feb. 14	584,872,991.50
State and Justice Departments.....	1922. Dec. 7	33,188,151.50	1922. Dec. 12	33,185,051.50	1922. Dec. 13	33,471,008.00	1922. Dec. 14	33,488,708.00	1923. Jan. 3	33,250,421.50
Treasury Department.....	1922. Dec. 6	115,119,810.37	1922. Dec. 9	115,112,310.37	1922. Dec. 12	115,533,410.37	1922. Dec. 12	115,538,190.37	1923. do.....	115,386,510.37
War Department.....	1923. Jan. 12	314,064,294.00	1923. Jan. 19	333,654,204.00	1923. Jan. 29	340,341,396.28	1923. Feb. 9	340,443,896.28	1923. Mar. 2	336,347,204.00
Total, regular annual bills.....	.....	2,261,082,381.97	.....	2,280,781,553.97	.....	2,296,264,825.75	.....	2,300,632,930.75	.....	2,286,939,966.97
DEFICIENCY BILLS.										
First, 1923.....	1922. Sept. 18	560,688.08	1922. Sept. 19	560,688.08	1922. Sept. 21	2,346,642.15	1922. Sept. 22	2,831,742.15	1922. Sept. 22	2,454,210.09
Second, 1923.....	1922. Dec. 30	74,645,674.06	1923. Jan. 4	74,690,174.06	1923. Jan. 6	74,925,009.14	1923. Jan. 8	75,025,201.31	1923. Jan. 22	74,925,774.14
Third, 1923.....	1923. Feb. 22	153,804,843.68	1923. Feb. 26	154,582,240.35	1923. Feb. 28	156,780,772.45	1923. Mar. 1	156,835,086.46	1923. Mar. 4	156,359,742.14
Total, deficiency bills.....	.....	229,011,205.82	.....	229,933,102.49	.....	234,052,423.74	.....	234,692,029.92	.....	233,739,726.37
Total, regular and deficiency bills.....	2,490,093,587.79	2,510,614,656.46	2,530,317,249.49	2,535,344,960.67	2,520,679,693.34

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The PRESIDING OFFICER (Mr. MOSES in the chair). The question is on agreeing to the motion of the Senator from New Mexico.

Mr. BURSUM. Mr. President, we now have just eight minutes, according to the clock. I hope there is no Member of this body with soul so dead, and who is possessed of such a cruel heart, that he will be willing to engage in a filibuster for the remaining eight minutes in order to prevent the veterans of the Civil War and their widows from obtaining the relief which would be accorded them under this bill.

Mr. OVERMAN. Mr. President, I am glad the distinguished and able Senator from Wyoming admits that the figures I have put in the RECORD are correct. I ask each Senator to examine those figures, which he will find in the RECORD, giving the figures which have been certified as correct. I want to say that the clerks did not prepare them; I prepared them myself and sent them to the clerks to verify, and they have been verified. They extend back to three years before the war and three years since the war, and, deducting all those appropriations which have grown out of the war, this Congress has spent \$512,000,000 more than we spent in 1915.

Mr. WARREN. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Wyoming?

Mr. OVERMAN. I yield.

Mr. WARREN. The Senator did not state, and, of course, it was not his purpose to state, the fact that the income has also increased. For instance, the Senator has referred to the expenditure of \$600,000,000 for the Post Office Department, or such a matter, but the income and the earnings of this department have very largely increased. Again, in the matter of internal-revenue taxation, these deficiency appropriation bills have contained between \$150,000,000 and \$200,000,000 in repayments, or to provide for future repayments, of illegally collected taxes. In the meantime we have been collecting more than a billion dollars of taxes that were uncollected in former years. So that the income is keeping pace with and is really a great deal more than the outgo.

Mr. OVERMAN. Mr. President, the figures and facts as certified to me by the Bureau of Efficiency, a Republican bureau, show that the expenses for this year exceeded the expenses of 1915 by more than a billion dollars, but in fairness I have deducted all those appropriations growing out of the war, still leaving an excess of appropriations of \$512,000,000.

Mr. McCORMICK. Mr. President, I am told that the objections which were made to certain Senate resolutions on yesterday will be withdrawn. Therefore I ask unanimous consent for the consideration of Senate Resolution 427—

Mr. BURSUM. I call for the regular order.

The VICE PRESIDENT. The regular order is the motion to take up House bill 13980.

Mr. McCUMBER. Also Senate Resolution 437, providing for assistant clerks to the Committee to Audit and Control the Contingent Expenses of the Senate and the Committee on the District of Columbia.

Mr. McKELLAR. I was one of those who objected, and I withdraw the objection, and hope the resolution will pass.

Mr. BURSUM. I call for the regular order. I object.

The VICE PRESIDENT. There is objection.

Mr. SMOOT. Mr. President, the Senator from North Carolina has not in his figures made note of the fact that since 1915 we appropriate each year over \$500,000,000 for the wounded and disabled veterans of the World War. That does not appear in the figures, so that the people of the country could know it. I may add, Mr. President—

Mr. OVERMAN. The Senator is wrong, as he usually is when he talks about figures. I did deduct \$500,000,000. The Senator is a great juggler with figures. [Laughter.] I take that back. All I ask the Senator to do is to take these figures, and take a speech I made a few years ago, in which I did deduct all the war-veteran appropriations, and the Senator will agree with me that every figure I have given is accurate, because the clerks of the committee and the Bureau of Efficiency have certified that they are accurate.

Mr. SMOOT. All I can say is this—

Mr. CARAWAY. Will the Senator from North Carolina yield to me?

Mr. SMOOT. He has yielded the floor.

Mr. CARAWAY. I just want one minute.

Mr. SMOOT. I yield.

Mr. CARAWAY. I just want to say to my Democratic colleagues to remember what Schley said at Santiago. When the Spanish fleet was being sunk, he asked the sailors not to cheer. He said, "The poor boys are dying." I hope Senators on this side will not taunt the Republicans.

Mr. SMOOT. I expected just such a statement from the Senator.

I want to say to the Senator from North Carolina that the Senator from Utah may be a juggler with figures, as he intimated, but I never state a figure to this body that I am not able to prove. I will say that to the Senator, whether I juggle them or whether I do not.

I want to say to the Senator further that he should take into consideration the \$25,000,000 we paid to Colombia, the pork barrel bill for rivers and harbors of over \$65,000,000, and many other items too numerous to mention in time remaining in this session of Congress. In 1915 we did not have to appropriate anything for the payment to the veterans of a World War, to the disabled and wounded—

Mr. BURSUM. Mr. President, will the Senator permit a vote on the pension bill?

Mr. SMOOT. Yes; I will permit a vote. I yield now.

Mr. DIAL. We can not get a vote now. We have no intention of having a vote.

NOTIFICATION TO THE PRESIDENT.

Mr. LODGE and Mr. ROBINSON appeared, and Mr. LODGE said:

Mr. President, the committee appointed by the Senate to wait upon the President of the United States and inform him that the Senate had completed its business, and ask if he had any further communications to make, have fulfilled that duty, and the President informs us that he has no further communications to make to the Senate.

STATE BANKS, ETC., MEMBERSHIP IN FEDERAL RESERVE SYSTEM.

The VICE PRESIDENT. Pursuant to the provisions of section 506 of the agricultural credits act of 1923, the Chair appoints Mr. McLEAN, Mr. WELLER, and Mr. GLASS members on the part of the Senate of the joint committee to investigate the question of securing larger membership of State banks and trust companies in the Federal reserve system.

TRIBUTE TO DEAN OF CORPS OF OFFICIAL REPORTERS.

Mr. HARRISON. Mr. President, there are many faithful employees of the Senate who have rendered splendid service during this Congress, but there is one who is outstanding in that service. This is the twenty-eighth Congress he has seen expire. He came here in 1868, and is still fresh and active. He is the dean of the Official Reporters, and I am sure we all wish our friend, Mr. Shuey, well. [Applause.]

SENATOR JOHN SHARP WILLIAMS.

Mr. HARRIS. Mr. President, there is an article in the Baltimore Sun of Sunday morning in regard to Senator JOHN SHARP WILLIAMS, which I ask to have printed in the RECORD in 8-point type. It was written by Mr. Theodore Tiller, one of the ablest correspondents in Washington; and I also ask to have printed in the RECORD an article from the Memphis Commercial Appeal, written by Mr. R. M. Gates, to be printed in 8-point type.

There being no objection, the articles were ordered to be printed in the RECORD in 8-point type, as follows:

NO MORE BOREDOM IN SENATE FOR JOHN SHARP WILLIAMS—VETERAN MISSISSIPPIAN SLIPS QUIETLY OUT OF WASHINGTON TO AVOID ELABORATE CEREMONIES OF FAREWELL.

(By Theodore Tiller.)

WASHINGTON, March 3.—The manner of the exit of JOHN SHARP WILLIAMS from Washington and public service was typical of the whimsicality and modesty of the man. Only a few of his intimates knew until to-day that he had not awaited the fall of the gavels bringing the Sixty-seventh Congress to a close. Now the story may be told—all the way from that quiet little dinner at the home of Philip Roche to a scene at the Union Station as Senator WILLIAMS slipped out of Washington last Wednesday afternoon.

He heard that they might give him a farewell speech or so in the Senate. He wanted no such display. He heard also that the back-home folks, around Yazoo City, Miss., and a town or so en route, wanted to stage a home-coming celebration in his honor. And then he decided that he would slip quietly out of Washington and quietly into Yazoo City, no one knowing the exact time of his departure or arrival.

NO CEREMONY OF FAREWELL.

There were just a few who knew that he intended to go four days before the end of the session. One of them was Philip Roche, a doorkeeper at the Senate Chamber. Philip Roche was there when the train pulled out of Washington. The tears ran down his face as he said good-by to JOHN SHARP WILLIAMS, whom he almost worships. His voice was thick with emotion and sighs came from the broad bosom of a bulky, gray-headed man, whose shoulders stooped a bit more as his friend left.

Philip Roche is an Irishman, born in county Tipperary, who came to this country fifty-odd years ago. For 30 years he has known and loved JOHN SHARP WILLIAMS; but even before that time there had been a faint family association, for Roche's brother-in-law fought for the Stars and Bars alongside Senator WILLIAMS's father, who was killed at Shiloh. Most of Roche's relatives were in the Confederate Army. So were most of WILLIAMS's.

In the old days Philip Roche owned a saloon on Newspaper Row in Washington. It was a cozy place, to which came politicians, writers, and others. Senator WILLIAMS dropped in there at times for a toddy, and Philip Roche served the best thing in the house when his favorite statesmen came in. After prohibition Roche became a Senate doorkeeper in his old age.

ONLY ONE DINNER AT PARTING.

During the last month of Senator WILLIAMS's service of nearly 30 years in Congress he received dozens of invitations to attend banquets, State functions, formal affairs in Washington. He declined them all. The day before he was to go Philip Roche asked Senator WILLIAMS to come to his home and break bread with him before he quit Washington. That was one invitation JOHN SHARP WILLIAMS instantly accepted.

They went to the modest home of Philip Roche. Others who gathered there for this remarkable dinner included former Senator Mark Smith, a crony of WILLIAMS, Senator PAT HARRISON, Joseph P. Tumulty, and a few more. Roche, with all the hospitality of his nature, waited on the table a part of the time and then sat down and ate with his guests. Then they sat around and told stories and reminisced. JOHN SHARP WILLIAMS and Mark Smith doing most of the talking and going back into memory for wonderful experiences of other days.

That was JOHN SHARP WILLIAMS's farewell dinner in Washington. It was without formality or speeches. But sentiment and old friendships were there, and that is why WILLIAMS went. This brings us to something he said about sentiment not long ago.

SENTIMENT ALONE ENDURES.

"A few days ago," said WILLIAMS, a man to whom the Senate always gave attention, "we heard a Senator refer to sentiment contemptuously. There is no poetry in the soul of a man who can refer to sentiment contemptuously. To say that a man is sentimental is to pay him the highest compliment that one man can pay to another, or that a pure woman can pay a brave man. The only thing that is not rotten and can not rot is human sentiment."

"I belong to a breed of men who for 400 years have been dying on the wrong side. Some of them fought like fools for the Stuarts in England. Some of them died under Tyrone's Roman Catholic Insurrection in Ireland. Some of them followed the Stars and Bars until they fell in gloom, though not in disgrace, at Appomattox."

"We do not recognize that sentiment is to be referred to contemptuously. If it were so to be referred to, the man who died for the Stuarts was simply an infernal fool, and the man who followed Robert E. Lee to Appomattox did not have much sense. But, all the same, he had heroism, he had courage, and he had communion with the immortal gods, because they were in his heart, and the very spirit of Jesus Christ was before him—because Jesus fought for the greatest lost cause the world has ever known. I have no sentiment to waste on the man who refers to sentiment contemptuously."

LAST TRIBUTE TO BLACK MAMMY.

The last resolution Senator JOHN SHARP WILLIAMS asked the Senate to consider was one authorizing the erection on public grounds of the United States, in Washington, of "a monument in memory of the faithful colored mammies of the South." The Senate adopted it unanimously. Jefferson Davis Chapter, No. 60, United Daughters of the Confederacy, will erect this monument to the old southern "mammy."

Senator WILLIAMS typified the old South, but not the "professional southerner." His drawl was inimitable. So pleasing was it that it might have lulled one to sleep—except that no one ever slept while JOHN SHARP WILLIAMS spoke. He had all the weapons of oratory from satire and sarcasm to eulogies of the purest English. Educated both in this country and abroad, he was one of the few real scholars who have made Senate debates historic.

He was genuinely southern and pastoral in his tastes, too. When he said good-by to the Mississippi Valley Society of Washington a few nights ago he spoke to folks from back home, and in his quaint way said, in substance:

HIS ART OF GROWING OLD.

"I am going back to Yazoo City and my old home on a rural free-delivery route. I want to get up again each morning as I hear the roosters crow. I want to pick flowers while the dew

is still on them. Then, I want to come back and have my coffee and breakfast. Later on, if I am so fortunate as to have any left in these days, I want to stir myself a toddy whenever I feel that I would like one."

"Through the middle of the day I will read books, putter around the place, and talk to my neighbors. At noon I will leisurely eat my dinner."

"After dinner I will read some more, and then late in the evening I will eat supper—and notice that I call it supper, this last meal of the day. That's what we call it in Mississippi."

"And as night and the time for bed approaches, I will listen to the greatest chorus of voices that man ever heard, music that will charm me and make me ready for repose—the voices of my mocking birds."

Going on, Senator WILLIAMS said he wanted to live that way until he died and then be carried out of the house by his neighbors and buried among his people.

PARTING SHOT AT THE SENATE.

Quickly shifting from sentiment to cynicism, he added:

"Now, some may say that that is not a very wonderful thing to do—all this I've mapped out for my future days—but it is a lot more honest than being a Senator."

Months ago Senator WILLIAMS told his colleague, Senator PAT HARRISON, that he was tired of the Senate and public life and would not seek reelection (which no doubt he could have had without opposition).

"I'd rather be a dog and bay the moon than stay in the Senate another six years," he said. "I'm tired of it all, and going home to rest."

NO DESIRE FOR MONEY, EITHER.

This spirit of abandon and desire for repose was exemplified during the past few weeks, when he received numerous offers to go on the lecture platform, to write books, to write weekly comment for newspapers, and what not. One syndicate offered Senator WILLIAMS \$30,000 a year to write a story each week about current events or any other topic selected by him. A young fellow came down to persuade Senator WILLIAMS to sign the contract. With that enticing drawl in his voice Senator WILLIAMS finally said:

"No, young man, I want to rest, not to write. I wouldn't be tied down to do anything once a week for anybody or for \$30,000. You might take it up with me three or four months from now, when I am rested up a bit, and maybe I'll write a story or two, but I don't think I will."

In Senate debate no Senator could draw a smile or a laugh from the galleries more quickly than JOHN SHARP WILLIAMS. When he arose everyone knew that he would lend a sparkle to the proceedings; that the shafts of his wit would hit somewhere in the Chamber. Here is a sample extract from his last speech in the Senate, wherein he discussed everything from the ship subsidy bill to the Louisiana and Florida purchase:

PERSUASIVE WAYS OF JACKSON.

"We not only rather coerced the Florida purchase," he said, whimsically, "but old 'Andy' Jackson went down there and invaded the territory, fought everything in sight, hung three British subjects, and then afterwards got so mad because the Secretary of State questioned his right to invade foreign territory and hang three British subjects—somebody having censured him for it—that he and Thomas H. Benton spent nearly the balance of their official lives trying to get the censure removed. And finally they did get it removed, so that the Journal of this most august body to-day stands with various lines run through it and others rubbed out."

"I hesitate to question the historical accuracy of a great scholar like the Senator from Mississippi," interrupted Senator STANLEY, "but I think he has given Andy credit for one too many—it was two instead of three British subjects that he hung."

"Perhaps so," said WILLIAMS, "but that was not Andy's fault, for he would have hung another if there had been any more he cared to hang."

"They were hanged in Florida," said Senator LODGE.

"Yes; they were hanged in Florida, for Andy did not even take the trouble to bring them over the line," agreed Senator WILLIAMS.

HATED KAISER BUT NOT GERMANS.

During the World War Senator WILLIAMS made many speeches arraigning the German military machine and the Kaiser, but he was different in his feeling toward the German people. Remembering his days at the University of Heidelberg, in Baden, he once said:

"I join the President in having no hostility toward the German people. I spent two and a half years of my life with them, and I love them—a whole lot of them. The man who

inhabits the borders of the Rhine, the man who inhabits Bavaria and Württemberg—easily moved to tears, and easily moved to laughter, and easily moved to rage—is a man whom I have learned to love.

"And I have always believed this war in Europe, brought on by the obstinate refusal of the Kaiser to leave either to a tribunal of arbitration or to a concert of Europe the question at issue between Austria and Serbia, and inspiring Austria to refusal, is a proof of the truth of the adage, 'Whom the gods would destroy, they first make mad.'"

READY FOR ORATORICAL BATTLE.

In the retirement of Senator WILLIAMS it is generally conceded the upper Chamber loses one of its most entertaining and ablest men. In both Senate and House he was always ready for debate, but there was no rough-and-tumble display about him. Going into action, he walked slowly down the aisles, his left hand always cupped behind a deaf left ear. His gray hair was frequently rather touseled. He wore always an old-fashioned standing collar, with his Adam's apple showing through its wide space at the front. He was clean but careless in his dress. If his trousers bagged and his coat sagged it mattered little to him.

He had a way of going across the Chamber and sitting right in front of a Senator to whose speech he wanted to listen. He would sit there as though enraptured, never taking his eyes from the face of the speaker and never removing that left hand from behind his ear. Sometimes he did this to disconcert a political enemy. For instance, when Senator McCUMBER was delivering a long, dry speech on the tariff bill, Senator WILLIAMS moved across and seated himself almost at McCUMBER's knee.

Senator McCUMBER had brought into the Chamber various articles of foreign and domestic manufacture to illustrate the difference in quality and cost of production. Among them was a cuckoo clock. Senator WILLIAMS, disconcerting McCUMBER a bit, began to play with the clock. Occasionally he peered more closely at it, as though expecting the cuckoo bird to hop out. There was amusement on both floor and galleries. About everybody was smiling except McCUMBER, who orated on and got little attention because everybody was watching WILLIAMS.

FINALLY BREAKS THE CLOCK.

Eventually the Mississippi Senator tugged too hard at the pendulum and the clock fell down with a great noise at McCUMBER's feet. Then, having had his little joke, the Mississippi Senator grinned and went out of the Chamber. He had little patience with time-killing tariff debates. He, a member of the Finance Committee, had the faculty of making a tariff speech and putting bits of pep and jazz into it.

His oratorical powers ran the gamut from deepest sentiment to bitterest sarcasm. He seldom if ever used the bludgeon of outright ridicule. His make-up encompassed everything from geniality, conviviality, and love of human nature, and birds and animals, to a fighting spirit inherited from ancestors described by him as fighting for lost causes for 400 years.

Coming to Congress 30 years ago, he has written "30"—the signal of the telegrapher and the newspaper man meaning "the end"—to his own remarkable and brilliant career. Yazoo City takes him back with open arms; the mocking birds he talked about will sing for him each day, and Philip Roche, the doorkeeper, is not alone in Washington when he laments the voluntary departure of JOHN SHARP WILLIAMS and calls him "one of God's noblemen."

I also present an article on Senator WILLIAMS from the Commercial Appeal, of Memphis, Tenn., written by their Washington correspondent, Mr. R. M. Gates, an excellent newspaper man: [From the Commercial Appeal, Memphis, Sunday morning, February 25, 1923.]

JOHN SHARP WILLIAMS LEAVING CONGRESS AFTER 28 YEARS OF DISTINGUISHED SERVICE—HIS DEPARTURE A SEVERE LOSS TO STATESMANSHIP.

Lord Bryce's estimate of southern statesmen—that "they had an enlargement of view and an aptitude for grasping and deciding continuous lines of policy and, in fact, a turn for statesmanship as contrasted with mere politics"—applies particularly to Mississippi's famous orator, who within a week goes back to Cedar Grove.

(By R. M. Gates.)

WASHINGTON, February 24.—Of the 15 Senators who will pass out of the upper House of Congress March 4 it is the going out of JOHN SHARP WILLIAMS that will be remarked and regretted as a national loss. He has evoked and held uninterruptedly the admiring interest of the Nation as no other Member of either House of the Congress within the past 30 years. This is true, first, because the retiring senior Mississippi Senator's statesmanship has long since come to be regarded by thoughtful

students of the Government as one of the Nation's political assets, and, secondly, his vision in the contemplation of large governmental problems has never been obscured by the petty fogs of little personalities and prejudices that invariably envelop the loose-jawed demagogue and political timeserver.

Neither as a Senator nor as a Representative in the lower House did JOHN SHARP WILLIAMS ever seek or attempt to deceive himself as a national legislator, and because of this unbroken allegiance to his own political conscience he never sought to deceive or mislead either the people of his own sovereign State or the people of the United States. He has always been scrupulously honest in his attitude toward public questions, even though he may not always have been either wise or right in the massed opinion of the majority.

Never in the 28 years of his congressional service was he ever suspected or accused, even by his critics, of casting a vote to catch the popular ear or to appeal to the particular phase or fancy that at the time seemed to hold the popular imagination. Creasy said that "it would indeed be difficult to name a single quality which a general ought to have and with which the Duke of Marlborough was not eminently gifted."

To say that it would be difficult to name a single quality which a statesman ought to have and with which Senator JOHN SHARP WILLIAMS is not eminently gifted may be hyperbole, but certainly Senator WILLIAMS embodies as many of the essential qualities that make for sound statesmanship as any Member of the Senate to-day or of any Member of that august body within the past quarter of a century. Upon the basic foundation of moral and intellectual honesty a superstructure of scholarly attainments, reinforced by natural gifts and graces of mind of a rare order, has been reared, and from this almost marvelous storehouse of information he has given freely to the world in Senate and House debates on questions of national moment and concern. Suffice it to say that the Senate of the United States will be the poorer for the loss of JOHN SHARP WILLIAMS.

GOING BACK TO CEDAR GROVE.

So much by way of preface to the more important and pertinent fact that on March 4, JOHN SHARP WILLIAMS, senior Senator from Mississippi during the past 12 years, will retire from public life that he may give himself over to the fuller, sweeter, and ideally reposeful life that awaits his coming at Cedar Grove, in Yazoo County. There, as he expressed himself the other day, he expects to enjoy his children, grandchildren, the birds, the trees, and the flowers that unite to make the old ancestral Sharp home and plantation the dear and delightful shrine that it is. Whether in this congenial and compensating environment he will devote even a portion of his time to distinctly literary effort is problematical. He may or may not write a book or several books.

Pressing and flattering have been invitations from the leading publishers of the country to give them something from his pen after he shall have separated himself from political life, but thus far Senator WILLIAMS has remained silent. Some time ago he thought that he might write the life of John Marshall as one way of employing a part of his leisure, but he has not recently said anything that would encourage his friends and admirers to look forward to such an illuminating production.

Senator WILLIAMS's intimate friends know he feels that no adequate or sufficiently discriminating life of the great Virginia jurist has yet been given to the world. He does not feel that this famed Virginian has been portrayed as he was, but, on the contrary, most of his biographers—Macaulaylike—have in too many instances sacrificed facts to fancy and fine writing. Up to the present time Senator WILLIAMS's sole contribution to library literature is his "Thomas Jefferson," which in reality is a series of lectures delivered at Columbia University. Undoubtedly the life of John Marshall by JOHN SHARP WILLIAMS would take instant rank as an American classic. May he change his mind and devote himself to the task, is the wish of those who know his ability to make its execution a permanent contribution of inestimable educational and historical value.

28 YEARS IN CONGRESS.

Twenty-eight years, nearly a generation, is the measure of JOHN SHARP WILLIAMS's service in public life. He was first elected to the House of Representatives in 1893 and served in that body 16 years. He had not been a Member of the House but a short time before he was accorded first rank as a debater, though the membership of the House at that time included some of the brightest minds and most incisive intellects in the Nation. In those days the rule of the States was to send men of exceptional merit, generous ability, and of a high order of general accomplishments to Congress. The number of "pikers"

was comparatively small, or at least small enough to render their demagoguery harmless on the whole.

When JOHN SHARP WILLIAMS entered the House in 1893, he found Champ Clark and De Armond from Missouri, W. C. P. Breckinridge from Kentucky, Breckinridge from Arkansas, McMillin, Richardson, and Enloe from Tennessee, Sam Robertson from Louisiana, Judge Turner and Charles F. Crisp from Georgia, Oates from Alabama, Joe Bailey and David B. Culbertson from Texas, George D. Wise and Harry St. George Tucker from Virginia, and from his own State Hernando D. Money and "Private" John Allen. Over in the Senate there were such notables as George and Walthall from Mississippi, Jones from Arkansas, Caffery from Louisiana, Wade Hampton from South Carolina, Zeb Vance from North Carolina, Beck and Joe Blackburn from Kentucky, Morgan and Pugh from Alabama, Voorhees and Turpie from Indiana, Brice from Ohio, and Harris and Bate from Tennessee. Although comparisons are reputed odious, how do the names of a similar number of House and Senate Members of to-day compare with those mentioned above?

From almost the day of his entrance into the House JOHN SHARP WILLIAMS was recognized as one of the leaders of his party, but he was not formally designated leader of the Democrats for several years thereafter. It was his measuring of verbal lances on the floor with such keen Republican intellects as Pete Hepburn, of Iowa, John Dalzell, of Pennsylvania, and Charles H. Grosvenor, of Ohio, that convinced the Democrats that WILLIAMS was the man for party leadership. Republican leaders ere this had been convinced, to their sorrow and confusion, that they had a foeman worthy their best steel. Even Republican Senators had been attracted by the Mississippian's prowess in the field of open debate and did not hesitate to render him the homage of public acknowledgment of their admiration. It was the late Senator John W. Spooner, of Wisconsin, who said that "as a rough and tumble debater JOHN SHARP WILLIAMS did not have an equal in any parliamentary body in the world."

The Mississippian was minority leader in the House when the Aldrich-Vreeland emergency currency bill was passed, and it was due in a large measure to his unanswerable attacks on that piece of class legislation which in the ensuing congressional elections resulted in the loss of the House to the Republicans and its consequent organization by the Democrats the following year. He branded the bill as just another attempt to tighten the grip of the New York money interests on the rest of the country.

The single speech delivered in the House by JOHN SHARP WILLIAMS, and the one with which his name and fame will be longest associated, was in opposition to the annexation of the Philippines. His opposition was based upon the contention that the proposition was opposed to the birth principle and the life principle of the American Republic and therefore subversive of the very spirit of the Declaration of Independence, and he still holds to the objections which he then urged as a nonannexationist.

ENTERED THE SENATE DEBATING.

JOHN SHARP WILLIAMS entered the Senate after having been out of public life two years—from 1909 to 1911—and it is almost literally true that he went in debating. When he became a Senator after a voluntary hiatus of two years the outstanding Member of that body on the Democratic side was Joseph W. Bailey, of Texas. That is, the virile Texan was deservedly esteemed as the ablest debater among the Democrats at least; and when JOHN SHARP WILLIAMS was elected to the Senate there was much speculation as to how he and Senator Joe Bailey would hit it off. They had served together in the House and each had taken the measure of the other in debate. Now that he was a Senator, Capitol gossip was passing along all sorts of predictions of jealousy and rivalry and verbal clashes in open forum between the distinguished Mississippian and the oratorically famed Bailey, of Texas.

While there was never any surface manifestation of jealousy or rivalry between Senator WILLIAMS and Senator Bailey, they held sharply divergent views in regard to certain fundamental principles of party government, and it happened that on the second day of his senatorship JOHN SHARP WILLIAMS found himself in the middle of a furious debate with the Texas Senator on the question of free raw material. The debate consumed two days, and as a result of it Senator WILLIAMS gained at the very outset the rank in the Senate which his career in the House had given assurance he would achieve long before the expiration of his first term in the Senate. That he would become Democratic leader in fact, if not by formal party designation, was predicted, but that he would find opportunity to

earn that distinction within less than three days after entering the Senate was in the nature of the unexpected.

The debate between Senator WILLIAMS and Senator Bailey, as stated, was on free raw material, the Texas Senator having issued the challenge by the statement that free raw material was not historically a Democratic doctrine but originated with President Grover Cleveland. Senator WILLIAMS sprang into the debate with the contention that free raw material had been political policy in the Democratic Party since the administration of Thomas Jefferson, whose Secretary of the Treasury, Gallatin, had defended the principle and urged its practice. From Jefferson to Buchanan, said Senator WILLIAMS, the Democratic Party had stood consistently for free raw material, which had been an established policy in England from the days of Adam Smith. Senator Bailey's position was that if the manufactured product was taxed, the raw material should likewise be subject to a tariff tax.

The clash between these giants in debate was denominated as epochal, and for several years thereafter it was to the Senate that visitors flocked for edifying discussion. Opinion as to whether the palm of victory should be awarded to the versatile Mississippian or to the ponderous Texan was divided, but certainly there was no diversity of opinion as to the account which JOHN SHARP WILLIAMS gave of himself. He had done the very thing that had been prophesied he would do, viz, take the front rank as a debater in the Senate. This rank and distinction he has held uninterruptedly down to the present time.

OTHER MEMORABLE DEBATES.

Notable as was the Williams-Bailey free raw-material debate as a senatorial curtain raiser, the new Mississippi Senator was destined to shine forth even in brighter radiance in discussions not yet foreshadowed. There was in the Senate at that time a Senator from Idaho. His name was Heyburn and he was, in spite of any inherent goodness or charity that he may have been justified in claiming, a sort of professional "South hater." He seemed not to have realized that the War between the States had ended at Appomattox and that there was a United States of America. While Senator WILLIAMS loved the South and the cause of the Confederacy with as much warmth of affection as Heyburn was wont to exhibit for the North and the cause of the Union, he discretely refrained from any unseemly manifestation that might be construed as deliberately provocative of sectional discussion.

Not so with Senator Heyburn, who was in season and out keen for a pretext that might be seized upon as warranting a wallop at the South and the Confederacy. For several years the unreconstructed Idaho Senator had been aspersing the South whenever his breakfast or his lunch had gone against him, and aside from drawing more or less desultory fire from the Democratic side of the Chamber, his sectional "ravings" went unnoticed. It was different when JOHN SHARP WILLIAMS entered the Senate. The romping on the South days of the frascible Idaho Senator were then numbered. Their first clash came when one day Senator WILLIAMS proposed that the Senate increase the monthly pay of an old and partially decrepit negro employee of the Capitol, who had been brought to Washington by Senator Jefferson Davis. This proposal was a match to the Heyburn powder keg, and the explosion that followed was verbally terrific. Heyburn's yet dripping "bloody shirt" was again unfurled. Decorously, yet with gathering fury, Senator WILLIAMS listened to the unprovoked attack on his section, his State, and his party, and when the exhausted Heyburn took his seat the incensed Mississippian let go all the artillery in his arsenal.

This was Heyburn's first real castigation, and his usually composed and florid face alternated expressions of pain and amazement. He had been soundly drubbed for the first time, and that, too, by a Democratic Senator who was comparatively a new Member, who, according to Senate tradition, should be seen a long time before he is heard. This experience sufficed to keep a quietus on Heyburn for months, and though he never lost an opportunity afterwards to take a crack at the South, he never again remained in his seat under JOHN SHARP WILLIAMS's fire in retort, but almost invariably retired to the Republican cloakroom when the Mississippi Senator rose to reply. But Senator WILLIAMS was at his best as a debater in the Senate during the days just preceding America's entrance into the World War. Absolutely and unequivocally a believer in the justice of his country's cause and of its provocation for taking part in that titanic struggle for the preservation of Christian civilization, Senator WILLIAMS had no patience, either sentimental or intellectual, for those who by word or deed would

even seemingly thwart the preparations which President Woodrow Wilson was then urging upon the Congress as precedent to America's participation. The chief obstructionist to President Wilson's program was Senator LA FOLLETTE, and because of this regrettable fact the erratic Wisconsin Senator was oftenest within the range of Senator WILLIAMS's patriotic fire. The clashes between these opposing Senators were frequent, but, as might be expected, the Mississippian emerged each time unscathed and with unabated zeal. Senator WILLIAMS's famous reply to Senator LA FOLLETTE's concluding antiwar speech was remarked and will be remembered as enlarging his reputation for forensic debate even to greater proportions than his two days' discussion with Senator Bailey on free raw material.

LAST OF OLD-TIME SENATORS.

When JOHN SHARP WILLIAMS goes out of the Senate March 4, the last link that binds the upper House of Congress to the South of heroic memories will be broken. He is literally the last of the Mohicans, so far as the South, as the once recognized nursery of statesmen in the Senate is concerned. And the pity of it does not lessen its truth. It will be said that the South still produces men capable of notable achievement in high official station. That is true, but it is true also that men of that type, as a rule, are to be found in the walks of civil life. It may be said also that for some reason the South seems to have lost much of the old pride which in other days prompted her to choose her biggest and brainiest and best men to speak her sentiments in the halls of the National Legislature.

But back to JOHN SHARP WILLIAMS, now soon to pass from that stage upon which for 28 years he has taken major rôles to the lasting credit of himself, to the State of Mississippi, and to the Nation. Writing in his American Commonwealth of southern men who entered politics before the War between the States, Lord Bryce said: "But he had courage and a clear vision of his objects, the two gifts essential for a statesman." And, again, the same distinguished author and philosopher reflects on southern statesmen of those pre-Civil War days who showed "an enlargement of view and an aptitude for grasping decided and continuous lines of policy, and, in fact, a turn for statesmanship as contrasted with mere politics." It will hardly be denied by the informed that these descriptions fit JOHN SHARP WILLIAMS as a cap. He has courage and a clear vision and a remarkable aptitude for grasping decided and continuous lines of policy. That he is not a politician is a well-established fact in his entire official career. Perhaps no Member of either branch of Congress ever voted with less thought of what the galleries might think of his vote, but always did he vote as his conscience, his intelligence, his courage, and his sense of responsibility dictated. Instance his vote shortly after the signing of the armistice when a resolution with respect to Ireland was offered in the Senate. Obviously the resolution in question was of political origin and intended as an opportune appeal to an element in the American electorate constitutionally susceptible to any utterance smacking of criticism of England.

The only negative vote against this resolution was cast by Senator WILLIAMS, who stated at the time that he voted as he did because he felt convinced that the resolution was conceived in hatred and delivered for the sole purpose of wakening the animosity of a class. But this very resolution had no other effect than to afford certain Senators on both sides of the Senate Chamber a coveted opportunity to deliver themselves of anti-British speeches.

LEGISLATIVE SERVICE.

Throughout his years in the House and Senate it was the aim of JOHN SHARP WILLIAMS to render a constructive legislative service. If he is to be judged alone by a mere utilitarian standard a different verdict of the man and his work will be delivered.

It was his sense of duty to the Nation as a legislator in the Congress of the United States that made JOHN SHARP WILLIAMS a national figure as well as a national factor and influence. He might have allowed his time to be taken up by the countless little details of his office, but being a student and a thinker and a factor in the shaping of national policies and legislation, he was content to leave matters of strictly utilitarian character to others. When on one occasion he was asked by a captious critic if any big piece of legislation bore his name, JOHN SHARP WILLIAMS, then a Member of the House, replied that while it was true his name was not so connected, he could say that he had helped to kill a lot of very foolish and potentially harmful legislation. But things have changed, and under the new political dispensation the average Senator now points to his capacity to get something for his people or settle some disputed matter a constituent has in one of the Government departments at Wash-

ington. This form of service seems to have superseded the conception of public duty which at all times appears to have actuated the elder statesman, and by which the old standard of congressional service seems to rest largely upon the ability of the Senator or the House Member to walk fast and much, and to speak long and loud on any subject without reference to whether he knows anything worth while pertaining to it. And the people are getting what they want in inverse ratio to what they pretend to esteem in the interchange of views in private.

WILLIAMS AND HARRISON.

This article would be incomplete did it not take into account the comradeship that has subsisted between Senator WILLIAMS and Senator HARRISON from the very day of the entrance of the junior Senator into the Senate. The relationship has been almost as father to son—PAT HARRISON regarding his senior colleague with a respect and an affection almost akin to paternal reverence. Their teamwork has been harmonious at all times, though not upon all questions have the two Senators voted alike. But in all matters affecting the interests of Mississippi they have cooperated without the least friction. It is due Senator HARRISON to say here that Senator WILLIAMS will retire from the Senate with the highest respect and admiration for his junior colleague, whose progressive career he has watched with increasing pride. Not long ago Senator WILLIAMS remarked that PAT HARRISON had grown more than any new Member of the Senate whose course he had observed.

When Senator WILLIAMS announced some months ago that he would retire at the end of the present Congress Senator HARRISON gave notice that he desired to be assigned to the seat in the Senate now occupied by his colleague, which, by the way, is the seat that was occupied by Jefferson Davis as a Senator from Mississippi. Senator HARRISON has been assigned the seat and will take it at the next session of Congress. Furthermore, Senator HARRISON, as an additional mark of his friendship for and admiration of Senator WILLIAMS, will occupy the latter's rooms in the Senate Office Building—No. 217. Senator HARRISON now has rooms on the fourth floor. The rooms occupied by Senator WILLIAMS are on the second floor and overlook the beautiful park on the east side of the Capitol. It should be stated also that Senator WILLIAMS has the highest respect for his successor, Hon. HUBERT D. STEPHENS, of New Albany. He regards him as a man of fine sense, splendid ability, courageous, and loyal to his party and to his convictions.

WILLIAMS AS A MAN.

As a man, considered apart from his activities and attainments as a national legislator, JOHN SHARP WILLIAMS stands four square. Utterly without fear, his heart is attuned to the sweeter sentiments which impart to life its finest flavor. He loves the true and beautiful as depicted by Ruskin, and spurns the little mean and tawdry things that dwarf the mind, shrivel the soul, and cheapen human relationships.

The very embodiment of loyalty to every commitment of heart and mind, he has never been suspected of ingratitude to a friend or treachery to a political foe. The entire length of his 28 years in the House and the Senate is lined with men ready to shout praise of his name, admiration for his fame. Certainly no man retiring from public life could wish for or could receive a nobler testimonial from those who esteem him and love him because they know him and have wrought with him. No sweeter memory will JOHN SHARP WILLIAMS take into retirement than this.

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New Mexico to proceed to the consideration of House bill 13980.

Mr. DIAL. Mr. President, there seems to be some anxiety about getting some measure passed, and many Senators are in favor of getting action on the resolution of the Senator from New York [Mr. CALDER] with reference to an investigation into the prices of sugar. I think it would be more proper to consider that resolution and let the country know why the cost of sugar has so mounted.

I do not think it is proper to wait until just before we are about to adjourn—

FINAL ADJOURNMENT.

The VICE PRESIDENT. The hour of 12 o'clock of the 4th day of March, 1923, has arrived, and, in accordance with the Constitution of the United States, the fourth session of the Sixty-seventh Congress of the United States has ended, and the Senate of the United States stands adjourned sine die.

PRESERVATION OF THE HALIBUT FISHERY OF THE NORTHERN PACIFIC OCEAN.

In executive session this day the following convention between the United States and Great Britain, signed March 2, 1923, for the preservation of the halibut fishery of the Northern Pacific Ocean, including Bering Sea, was adopted; and

On motion of Mr. Lodge, the injunction of secrecy was removed therefrom and from the papers accompanying the same:

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES.

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive D, Sixty-seventh Congress, fourth session, a convention between the United States and Great Britain, signed on March 2, 1923, for the preservation of the halibut fishery on the Northern Pacific Ocean, including the Bering Sea, subject to the understanding, which is hereby made a part of this resolution of ratification, that none of the nationals and inhabitants and vessels and boats of any other part of Great Britain shall engage in halibut fishing contrary to any of the provisions of this treaty.

The Senate:

I transmit, with the view to receiving the advice and consent of the Senate to its ratification, a convention between the United States and Great Britain, signed March 2, 1923, for the preservation of the halibut fishery of the Northern Pacific Ocean, including Bering Sea.

WARREN G. HARDING.

THE WHITE HOUSE, March 2, 1923.

The President:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate, to receive the advice and consent of that body to its ratification, if his judgment approve thereof, a convention between the United States and Great Britain, signed March 2, 1923, for the preservation of the halibut fishery of the Northern Pacific Ocean, including Bering Sea.

Respectfully submitted.

CHARLES E. HUGHES.

DEPARTMENT OF STATE,
Washington, March 2, 1923.

The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being equally desirous of securing the preservation of the halibut fishery of the Northern Pacific Ocean, have resolved to conclude a convention for this purpose, and have named as their plenipotentiaries:

The President of the United States of America: Charles Evans Hughes, Secretary of State of the United States; and His Britannic Majesty: The Honorable Ernest Lapointe, K. C., B. A., LL. B., Minister of Marine and Fisheries of Canada;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I.

The nationals and inhabitants and the fishing vessels and boats of the United States and of the Dominion of Canada, respectively, are hereby prohibited from fishing for halibut (*Hipoglossus*) both in the territorial waters and in the high seas off the western coasts of the United States, including Bering Sea, and of the Dominion of Canada, from the 16th day of November next after the date of the exchange of ratifications of this convention, to the 15th day of the following February, both days inclusive, and within the same period yearly thereafter, provided that upon the recommendation of the International Fisheries Commission, hereinafter described, this close season may be modified or suspended at any time after the expiration of three such seasons, by a special agreement concluded and duly ratified by the high contracting parties.

It is understood that nothing contained in this article shall prohibit the nationals or inhabitants and the fishing vessels or boats of the United States and of the Dominion of Canada from fishing in the waters hereinbefore specified for other species of fish during the season when fishing for halibut in such waters is prohibited by this article. Any halibut that may be taken incidentally when fishing for other fish during the season when fishing for halibut is prohibited under the provisions of this article may be retained and used for food for the crew of the vessel by which they are taken. Any portion thereof not so used shall be landed and immediately turned over to the duly authorized officers of the Department of Commerce of the United States or of the Department of Marine and Fisheries of the Dominion of Canada. Any fish turned over to such

officers in pursuance of the provisions of this article shall be sold by them to the highest bidder and the proceeds of such sale, exclusive of the necessary expenses in connection therewith, shall be paid by them into the treasuries of their respective countries.

ARTICLE II.

Every national or inhabitant, vessel or boat of the United States or of the Dominion of Canada engaged in halibut fishing in violation of the preceding article may be seized except within the jurisdiction of the other party by the duly authorized officers of either high contracting parties and detained by the officers making such seizure and delivered as soon as practicable to an authorized official of the country to which such person, vessel or boat belongs, at the nearest point to the place of seizure, or elsewhere, as may be mutually agreed upon. The authorities of the nation to which such person, vessel or boat belongs alone shall have jurisdiction to conduct prosecutions for the violation of the provisions of the preceding article or of the laws or regulations which either high contracting party may make to carry those provisions into effect, and to impose penalties for such violations; and the witnesses and proofs necessary for such prosecutions, so far as such witnesses or proofs are under the control of the other high contracting party, shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the prosecutions.

ARTICLE III.

The high contracting parties agree to appoint within two months after the exchange of ratifications of this convention a commission, to be known as the international fisheries commission, consisting of four members, two to be appointed by each party. This commission shall continue to exist so long as this convention shall remain in force. Each party shall pay the salaries and expenses of its own members, and joint expenses incurred by the commission shall be paid by the two high contracting parties in equal moieties.

The commission shall make a thorough investigation into the life history of the Pacific halibut, and such investigation shall be undertaken as soon as practicable. The commission shall report the results of its investigation to the two Governments and shall make recommendations as to the regulation of the halibut fishery of the North Pacific Ocean, including the Bering Sea, which may seem to be desirable for its preservation and development.

ARTICLE IV.

The high contracting parties agree to enact and enforce such legislation as may be necessary to make effective the provisions of this convention, with appropriate penalties for violations thereof.

ARTICLE V.

This convention shall remain in force for a period of five years and thereafter until two years from the date when either of the high contracting parties shall give notice to the other of its desire to terminate it. It shall be ratified in accordance with the constitutional methods of the high contracting parties. The ratifications shall be exchanged in Washington as soon as practicable, and the convention shall come into force on the day of the exchange of ratifications.

In faith whereof the respective plenipotentiaries have signed the present convention in duplicate, and thereunto affixed their seals.

Done at the city of Washington the 2d day of March, in the year of our Lord 1923.

CHARLES EVANS HUGHES. [SEAL.]
ERNEST LAPOINTE. [SEAL.]

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 4 (legislative day of March 3), 1923.

ASSOCIATE JUDGES OF COURT OF CUSTOMS APPEALS.

Oscar E. Bland to be associate judge, United States Court of Customs Appeals.

Charles S. Hatfield to be associate judge, United States Court of Customs Appeals.

POSTMASTERS.

IDAHO.

Burton D. Fox, Challis.
Mildred W. Des Voignes, Deary.

NORTH DAKOTA.

Alexander R. Wright, Oakes.

NORTH CAROLINA.

Grover C. Robbins, Blowing Rock.

TENNESSEE.

Daniel L. Hyder, Elizabethton.